ENVIRONMENTAL ASSESSMENT STATEMENT

BROAD CHANNEL RESILIENCY REZONING
Borough of Queens

Lead Agency:

New York City Department of City Planning (DCP)
120 Broadway – 31st Floor
New York, NY 10271

CEQR No. 17DCP114Q

February 17, 2017

Prepared for:

New York City Department of City Planning (DCP)
120 Broadway – 31st Floor
New York, NY 10271

Prepared by:

New York City Department of City Planning (DCP)
120 Broadway – 31st Floor
New York, NY 10271

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 Broad Channel Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
17DCP114Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
170256 ZMQ, N 170257 ZRQ	

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		
Robert Dobruskin, AICP			John D. Young		
ADDRESS 120 Broadway 30th Floor			ADDRESS 120-55 Queens Boulevard, Room 201		
CITY New York	STATE NY	ZIP 10271	CITY Kew Gardens	STATE NY	ZIP 11103
TELEPHONE 212-720-3423	EMAIL RDOBRUS@planning.nyc.gov		TELEPHONE 718-520-2070	EMAIL JYOUNG@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):

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*

A rezoning of 60 blocks intended to limit density of future developments in an area vulnerable to flood risk, reinforce neighborhood charcter as well as existing uses, and provide commercial uses with relief from high parking requirements that may make reconstruct following storm events more challenging. See Appendix A for Zoning Text.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 14	STREET ADDRESS
TAX BLOCK(S) AND LOT(S)		ZIP CODE

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Queens, Community District 14, Broad Channel

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R3-2, C1-2	ZONING SECTIONAL MAP NUMBER 24b, 24d, 30a, and 30c

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 ☐ FUNDING OF CONSTRUCTION, specify:

☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ 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.): 21,254,899
Waterbody area (sq. ft.) and type: 7,194,943; Jamaica Bay
Roads, buildings, and other paved surfaces (sq. ft.): 2,445,278
Other, describe (sq. ft.): N/A

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): N/A
NUMBER OF BUILDINGS: See Attachemnt A
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): See Attachment A
HEIGHT OF EACH BUILDING (ft.): See Attachment A
NUMBER OF STORIES OF EACH BUILDING: See Attachment A

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: 0
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: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2032
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: NA
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: NA

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

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

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS - See Attachment A

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			Mixed-Use building	
No. of dwelling units			1	1
No. of low- to moderate-income units			0	
Gross floor area (sq. ft.)			900 sf	900 sf
Commercial	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)			retail	
Gross floor area (sq. ft.)			4,200 sf	4,200 sf
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," describe:	Block 15460, Lot 29			
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):				
Other Land Uses	☒ YES ☐ NO	☐ YES ☐ NO	☐ YES ☐ NO	
If "yes," describe:	Stalled development site Block 15460, Lot 1			
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
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	
If "yes," specify number:			3	3
Briefly explain how the number of residents	Number of residential units muplied by the average household size for Community District 14 (2.88)			

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
was calculated:				
Businesses	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type			Retail - 13	13
No. and type of workers by business				
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Calculated by assuming 3 employees per 1, 000 sf of retail use.			
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	See Attachemnt A	"	"	"
Maximum amount of floor area that can be developed	See Attachemnt A	"	"	"
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	See Attachemnt 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?	☒	☐
o If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
o If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o 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.		
o Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
o 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		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
o 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		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
o If "yes:"		
▪ 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?	☐	☐
o 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		
o 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?	☐	☐
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	☐	☐

	YES	NO
enhance, or otherwise protect it?		
iv. Indirect Business Displacement		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
o 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		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
o 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		
o 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		
o 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)	☐	☒
o 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?	☐	☐
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
o 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)	☐	☒
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
o If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
o 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)	☐	☒
o 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?	☐	☐
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o 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:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
o 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	☐	☐

	YES	NO
percent?		
o 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.		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9 See Appendix D and E.		
(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 archaeological resources. - See Appendix		
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.		
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?	☐	☒
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☒	☐
o 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?	☐	☒
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(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?	☐	☒

	YES	NO
(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.		
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):		
o 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?	☐	☒
o 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):		
(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:		
o 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.*	☐	☐
o 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?	☐	☐
o 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 See Attachment B		
(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?	☐	☐
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(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?	☐	☐
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18 N/A		
(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?	☐	☒
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-	☐	☐

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
16. *NOISE*: CEQR Technical Manual Chapter 19 See Attachment B		
(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.		
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.		
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.		
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.		

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
John D. Young		2.17.17

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, EARD	New York City Department of City Planning
NAME	DATE
Robert Dobruskin	Feburary 17, 2017
SIGNATURE	
Robert Dobruskin	

A. INTRODUCTION

The New York City Department of City Planning (DCP) proposes an amendment to the Zoning Map and an amendment to the Zoning Resolution that will affect all or portions of 60 tax blocks in Broad Channel, Queens, Community District 14. The Broad Channel rezoning area encompasses the predominantly residential portion of an island bounded by the Gateway National Recreation within Jamaica Bay.

Broad Channel was studied as part of DCP's Resilient Neighborhoods, a place-based planning initiative that was launched to identify local strategies to support the vitality and resiliency of neighborhoods within the city's floodplain. Broad Channel was studied, in part, because it is among the most vulnerable neighborhoods in the city to flooding. Broad Channel faces flood hazards from storm surges generated from large storm events like Hurricane Sandy. Parts of the neighborhood also experience periodic tidal flooding, a condition likely to become more severe over time with projected sea level rise. To reduce these flood risks and to plan for adaptation over time, DCP seeks to deploy new zoning treatments in this neighborhood to limit future development and to signal flood risk.

Today, Broad Channel is zoned R3-2 with C1 and C2 commercial overlays located in two areas along Cross Bay Boulevard (see Figure 1). These zoning districts have remained unchanged since 1961 when the current Zoning Resolution was adopted and do not reflect the current building pattern, which is predominately single-family detached buildings on narrow lots, and does not reflect the current and future flood risk.

DCP developed this zoning proposal through close consultation with a Community Advisory Committee comprised of representatives from Community Board 14, the Broad Channel Civic Association, local elected officials, and other organizations.

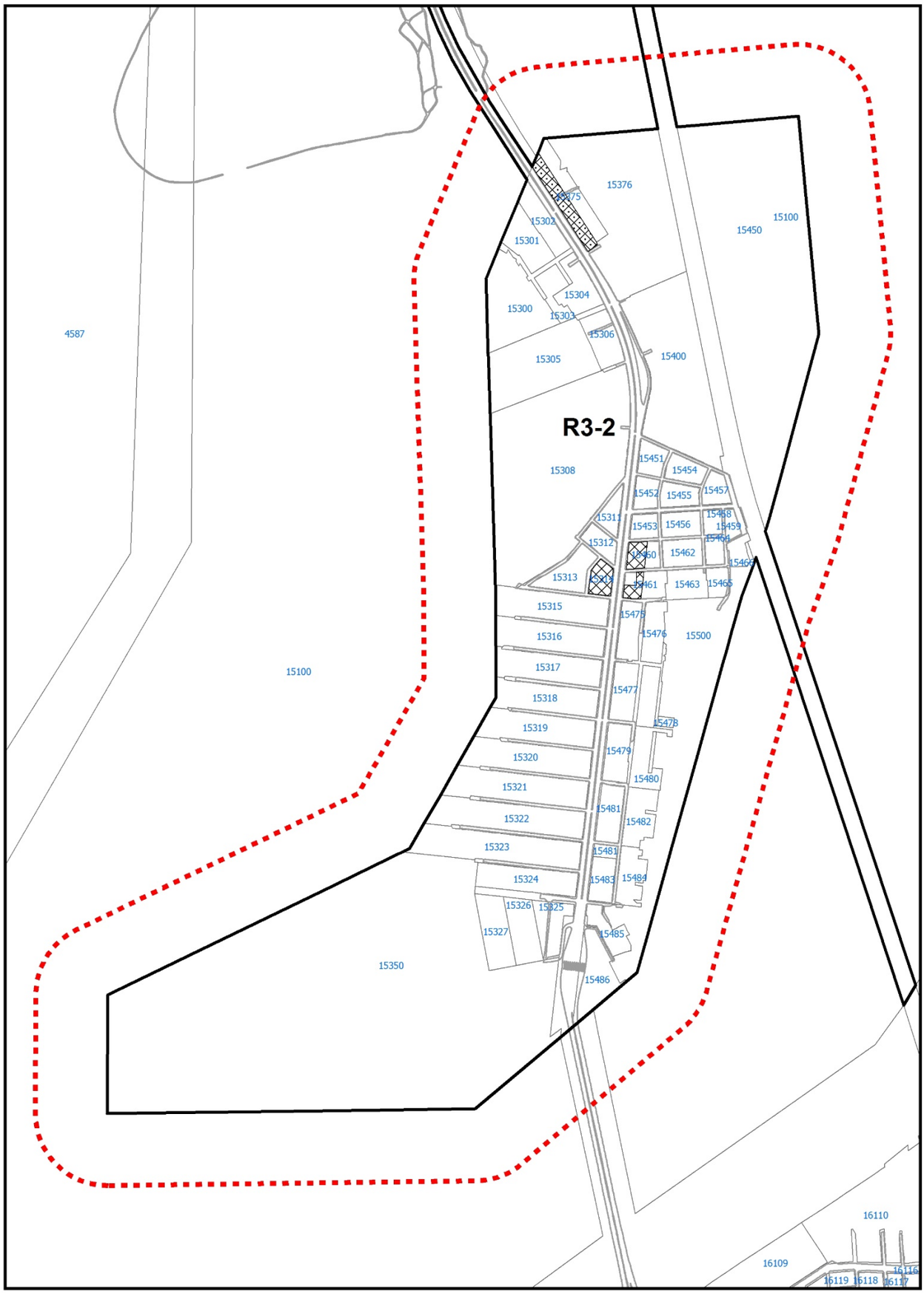
The proposed rezoning seeks to achieve the following objectives:

- Signal flood risk to the community and limit the density of future development by restricting new residential development to single-family detached buildings.
- Reinforce neighborhood character and current building patterns by replacing existing zoning with a lower-density residential zoning district and a water-dependent use zoning district on the eastern shoreline of Broad Channel.
- Provide commercial buildings relief from high off-street parking requirements that may make may make the incorporation of flood mitigation measures into the renovation, reconstruction, or redevelopment of commercial uses more difficult.

These goals would be accomplished by the following land use actions (discussed further in Section C, "Purpose and Need and Proposed Actions"):

- Establish the 137-00 Special Coastal Risk District and establish a Broad Channel Subdistrict to signal flood risk to the community and limit the density of future development.
- Replace R3-2 zoning with R3A zoning and replace R3-2 with C3A to reinforce neighborhood character and current building patterns.
- Replace existing C1-2 Commercial Overlays with C1-3 Commercial Overlays that have a lower parking requirement.

Figure 1
Broad Channel Existing Zoning



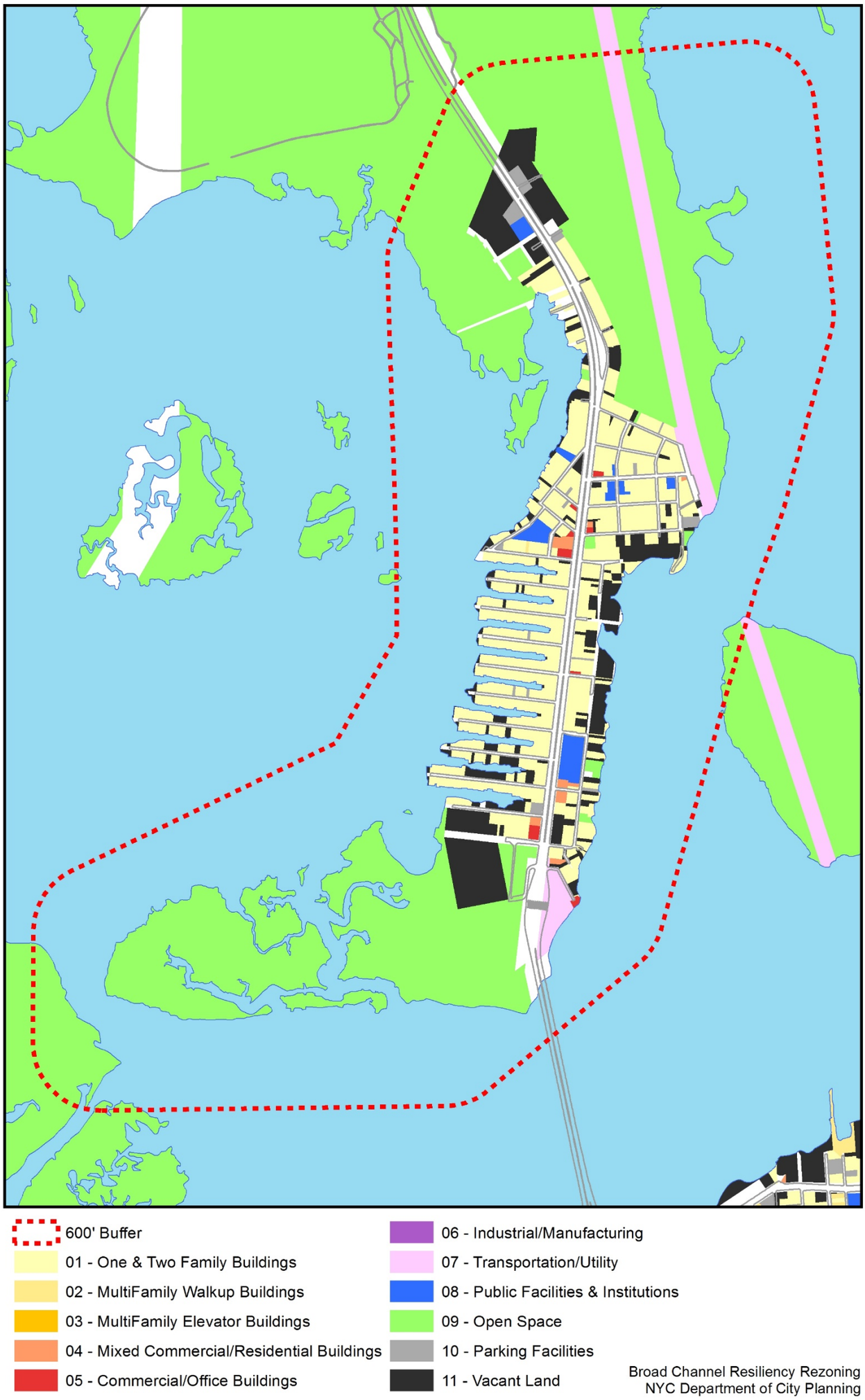
600' Buffer
Existing Zoning Districts

Existing Commercial Overlay

C1-2
C2-2
15100 Tax Block

Broad Channel Resiliency Rezoning
NYC Department of City Planning

Figure 2
Broad Channel Existing Land Use



B. BACKGROUND AND EXISTING CONDITIONS

According to projections by the NYC Panel on Climate Change, climate change and sea level rise will reshape New York City's waterfront and lead to increased risks of flooding. To reduce these risks, the City is updating its regulations for how existing buildings are designed and new development occurs throughout the floodplain. Reducing flood risks to New York City's building stock through resilient design measures is part of the City's multifaceted plan for resiliency, along with enhancing coastal protections, hardening infrastructure systems, and promoting community preparedness.

Following Sandy, DCP advanced a temporary, emergency citywide text amendment promote rebuilding to higher standards by addressing the most urgent zoning barriers. The citywide text amendment (N 130331(A) ZRY) was adopted by City Council in October 2013. Also in 2013, DCP launched the Resilient Neighborhoods initiative to work directly with communities in the floodplain to look at local issues related to land use, zoning, and development in light of a new understanding of coastal flood risks. In 2014, DCP released the *Retrofitting for Flood Risk* manual, which details resilient retrofit strategies for a range of building types that are unique to New York City. DCP also works closely with other agencies, including the Housing Recovery Office and Mayor's Office of Recovery and Resiliency on programs to assist community recovery and build coastal resiliency. Through this work, DCP found that additional zoning changes were necessary to allow property owners to build and retrofit to limit damage from floods and reduce insurance costs, and also ensure that development is responsive to neighborhood character and aligns with the need for long-term adaptation.

Based on this work, zoning recommendations are suggested that are specific to unique neighborhood conditions and risks. In Broad Channel, which is at risk of future daily tidal flooding from sea level rise, zoning could ensure that future development does not substantially increase the population. The identified changes are locally-specific and time-sensitive. DCP is currently proposing actions that place limits on new development in these highly vulnerable areas before proceeding with other local and citywide updates to zoning.

Area Description and History

Broad Channel is an island located on Big Egg Marsh in the middle of Jamaica Bay, adjacent to the Gateway National Recreation Area, and accessible by only one through-road, Cross Bay Boulevard, which connects Broad Channel to Howard Beach to the north and the Rockaway peninsula to the south by bridges. It also has a train station for the MTA's A Train and the Rockaway Park Shuttle. The Broad Channel study area consists of all or portions of 60 blocks. The area has approximately 2,500 residents and 1,100 buildings, approximately 90 percent of which are one-family detached residences.

Broad Channel was originally developed as a summer getaway in the late 1800s for New Yorkers who built small houses on stilts on two islands, Rulers Bar Hassock and Big Egg Marsh. The neighborhood was formally settled in 1914 by the Broad Channel Development Corporation, which built streets and boardwalks, filled in marshland, laid water mains, and installed fire hydrants. The neighborhood thrived, despite the collapse of the fishing industry due to pollution in the bay, and during Prohibition served as a remote location for speakeasies.

In the 1930s, Broad Channel became a year-round community following the construction and widening of Cross Bay Boulevard. New York City became the official landowner in 1939 after the Broad Channel Development Corporation declared bankruptcy. Though the City initially made attempts to remove

residents from the land when the City-owned leases were due to expire to make way for other plans—including a 1962 proposal for converting the area to recreational land uses—an agreement was reached for residents to purchase the properties back from the City in 1982. The area, however, lacked the infrastructure to support a year-round community, resulting in untreated sewage from cesspools flowing into Jamaica Bay, which the City's Health Department declared a health nuisance. In addition, the area experienced difficulties with access to certain streets during flood events, as streets had not been raised to legal grade—a condition that persists today. Sanitary sewers were installed between 1988 and 1998. Current capital plans for bulkheads and raised street reconstruction on West 11th through 19th Roads are expected to reduce street flooding, which is most severe during spring high tide periods. However, this project would not fully address future risk from tidal flooding. In addition, the entire shoreline is exposed to floodwaters entering from Jamaica Bay, making additional protection difficult and costly.

Existing Conditions

A land use survey was conducted for the rezoning area as well as an area within a 600-foot radius within each rezoning area boundary (see Figure 2). Tables A-1 and A-2 show the proportion of tax lots based on the land uses within this surveyed area.

The surveyed area with a 600-foot radius of the rezoning area consists of 1,160 lots covering 1,001 acres. Approximately 75 percent of these tax lots contain residential buildings. Vacant lots make up approximately 18 percent of the total number of lots. The remaining land use categories—mixed residential and commercial, commercial and office, industrial and manufacturing, transportation and utility, and public facilities and institutions, open space and recreation and parking—account for approximately five percent combined. Though only two percent of the study area's lots consists of open space and recreation uses, they account for over 82 percent of the land area within the study area.

Within the rezoning area, of the lots with residential use, nearly 90 percent are developed with one-family detached residences, approximately eight percent are developed with two-family detached residences, and approximately one percent are developed with semi-detached residences with either one or two units. Attached residential and multifamily buildings make up less than one percent of all residential lots.

Table A-1: Broad Channel Land Use Within 600 Feet of Rezoning Area				
	Lots	% of total lots*	Area (acres)*	% of land area*
Residential	877	75.6%	100.3	10.0%
Detached One-Family	786	67.8%	91.8	9.1%
Detached Two-Family	74	6.4%	6.8	0.7%
Semi-Detached One- and Two-Family	9	0.8%	0.8	0.1%
Attached One- and Two-Family	1	0.1%	0.2	0.0%
Multi-Family Walk-Up and Elevator	1	0.1%	0.1	<0.0%
Mixed Residential and Commercial	9	0.8%	1.3	0.1%
Commercial and Office	9	0.8%	1.2	0.1%
Industrial and Manufacturing	0	0.0%	0.0	0.0%
Transportation and Utility	3	0.3%	4.2	0.4%
Public Facilities and Institutions	8	0.7%	4.5	0.4%
Open Space and Recreation	25	2.2%	832.5	82.8%
Parking Facilities	16	1.4%	2.0	0.2%
Vacant	213	18.4%	59.6	5.9%
Total	1,160		1,005.6	
For the purpose of a more accurate assessment, only the portions of park land (Block 15100, Lots 1, 100, 600, and 700) within the 600 ft. boundary have been included in the analysis. *Numbers have been rounded for clarity.				

Table A-2: Broad Channel Building Type within Rezoning Area (Residential Lots Only)		
Building Type	Lots	% of residential lots*
Detached One-Family	787	90.2%
Detached Two-Family	76	8.7%
Semi-Detached One- and Two-Family	9	1.0%
Attached One- and Two-Family	1	0.1%
Multi-Family Walk-Up and Elevator	0	0.0%
Total	877	
*Numbers have been rounded for clarity.		

Existing Zoning

The Broad Channel study area is currently zoned R3-2 with C1-2 and C2-2 commercial overlay districts mapped in two retail nodes (see Figure 1). These zoning districts have remained unchanged since 1961 when the current Zoning Resolution was adopted. Each of these districts is described below.

R3-2

Broad Channel is zoned R3-2 across the entire developed portion of the island, bounded by the Gateway National Recreation Area parks boundary. R3-2 allows all residential building types, including detached, semi-detached, and attached residences, as well as low-rise multi-family apartments. In R3-2 districts, residences are allowed at a maximum FAR of 0.6, which includes a 0.1 attic allowance. The minimum required lot area is 3,800 square feet for detached residences and 1,700 square feet for other residences. The minimum lot width for a detached house is 40 feet, or eighteen feet for other residences. The maximum perimeter wall height and building height are 21 feet and 35 feet, respectively. Front yards must be at least 15 feet deep, and side yards must total 13 feet for detached houses (with a five foot minimum for one side yard), and eight feet for other residential building types. One off-street parking space is required for each dwelling unit. Community facilities are allowed at a maximum FAR of 1.0.

Commercial Overlays

A C1-2 commercial overlay is mapped in Broad Channel on Cross Bay Boulevard between East 8th and West 10th Roads. A C2-2 commercial overlay is mapped in along Cross Bay Boulevard between East 1st and East 3rd Roads. C1 overlays are typically mapped within residential districts to allow a range of local retail and service establishments to serve the surrounding neighborhood. C2 overlays allow these uses, as well as large retail establishments and entertainment facilities. Specifically, C1 overlays allow Use Groups 4 through 6, while C2 overlays allows a wider range of uses, under Use Groups 4 through 9 and 14.

When C1 and C2 overlay districts are mapped within R1 through R5 residential districts the maximum commercial FAR is 1.0, with commercial uses limited to the first floor in mixed-use buildings. Off-street parking requirements vary with the use, however, most retail uses generally require one accessory parking space per 300 square feet of commercial floor space, although the requirements can range between one space per 200 square feet and one space per 800 square feet. For C1-2 and C2-2 overlays, if the number of spaces required is less than 15, the parking requirements are waived.

C. PROPOSED ACTIONS AND PURPOSE AND NEED

The amendment to the Zoning Map and amendment to the Zoning Resolution would match existing built form, limit vulnerability by limiting future density, and promote resilient buildings in Broad Channel. (See Figure 3 for proposed zoning.) The amendment to the Zoning Resolution, 137-00 Special Coastal Risk District (described below), would establish a new special district and apply a Subdistrict to Broad Channel. A separate action would also apply a Subdistrict to Hamilton Beach in Queens Community District 10 (CEQR #17DCP115Q, N 170267 ZRQ).

Zoning Text Amendment to establish the 137-00 Special Coastal Risk District and establish a Broad Channel Subdistrict to signal flood risk to the community and limit the density of future development.

The 137-00 Special Coastal Risk District would be established in the Zoning Resolution to signify the need for a special zoning designation to address flood risk. This zoning tool operates similar to a Special Purpose District, which can be deployed in different neighborhoods throughout the city that have similar needs. Subdistricts share the same goals, but do not necessarily all have the same rules, since each area may need rules that reflect unique local conditions. The Special Coastal Risk District has the purpose of denoting flood risk and limiting future development to building types and users appropriate for the area. Currently, it is only envisioned to be used in Broad Channel and Hamilton Beach (CEQR #17DCP115Q, N 170267 ZRQ), but could be used elsewhere in the city in the future.

The proposed Subdistrict for Broad Channel would limit the proposed underlying R3A zoning to restrict future residential development to single-family detached houses. Since this building stock currently composes ninety percent of all residential lots, this action would ensure future development would be more contextual. The Subdistrict would also modify the proposed C3A district to in the same way, since R3A is the equivalent residential zoning. Finally, the Subdistrict in Broad Channel would modify community facility uses by not allowing overnight sleeping accommodations due to the difficulties emergency vehicles face when accessing the neighborhood during rain events and spring high tides today, as well as future flooding due to sea level rise. This text change would more closely reflect the current neighborhood character and would help achieve the goal of limiting new residential development in an area projected

to experience daily tidal inundation due to sea level rise by the 2050s and where there are few viable options for investment in infrastructure to mitigate this flood risk.

Zoning Map amendment to replace R3-2 zoning with R3A zoning and replace R3-2 with C3A to reinforce neighborhood character and current building patterns.

Existing R3-2 zoning would be replaced by R3A zoning, which reflects the neighborhood's character of primarily detached residences. It would also be modified by a special district, described above. To further reflect the existing neighborhood character, this proposed rezoning would also establish a C3A district on Broad Channel's southeast shore. The C3A would be mapped to reflect the concentration of existing water-dependent uses in the area including marinas and boat storage facilities. Under C3A, these properties would be brought into conformance with zoning and would not face obstacles from zoning if they were to undergo resilient retrofits. Waterfront recreational activities that would be permitted include facilities for docking, renting, services, and storing fishing and pleasure boats. Other permitted uses include aquatic sports equipment sales and rentals, bicycle shops, ice cream stores and public and private beaches.

Zoning Map amendment replacing C1-2 commercial overlays with C1-3 to provide commercial buildings relief from high off-street parking requirements that may make the incorporation of flood mitigation measures into the renovation, reconstruction, or redevelopment of commercial uses more difficult.

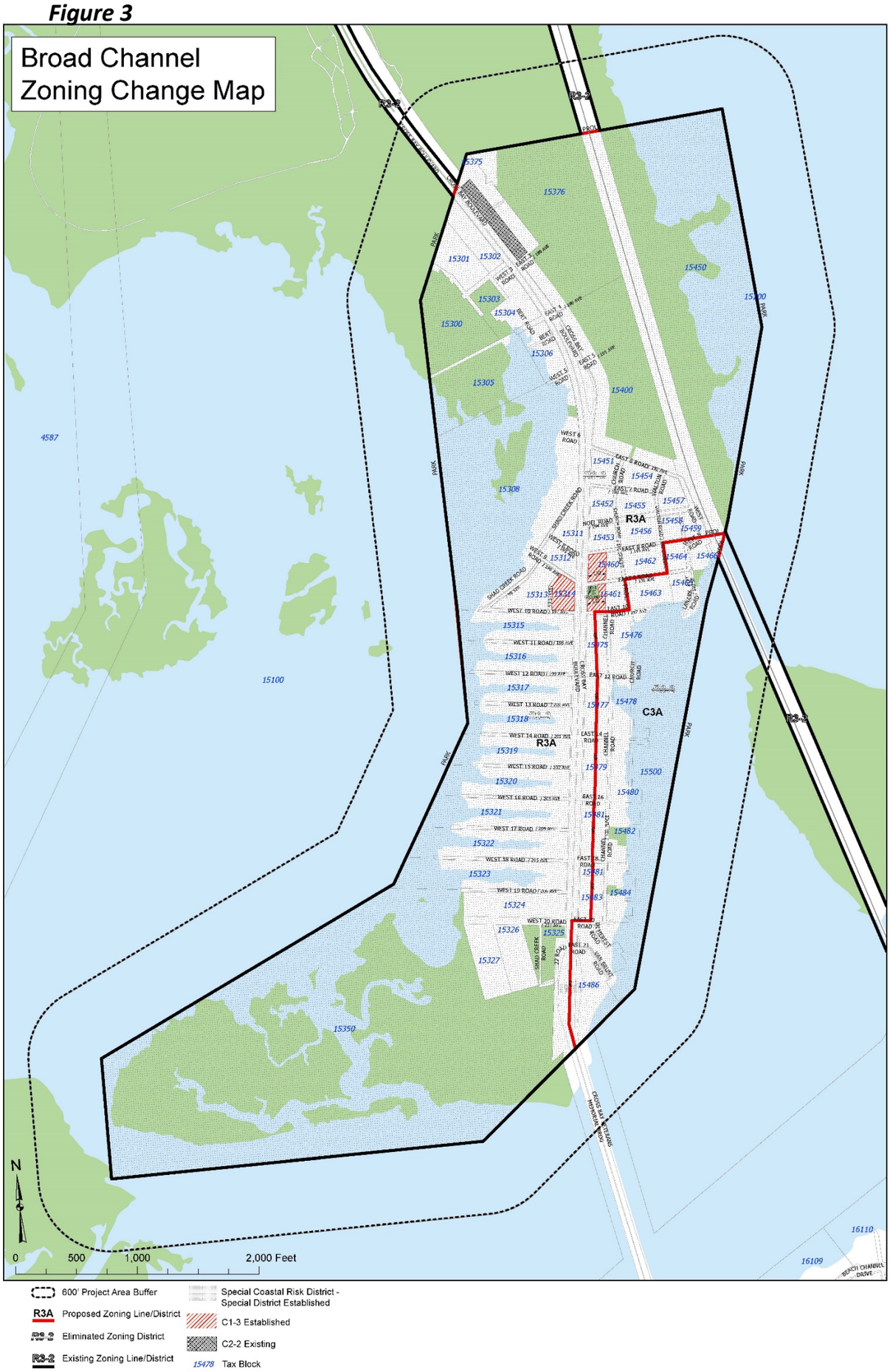
An update to Broad Channel's C1-2 commercial overlay to C1-3 is recommended to more adequately reflect existing development patterns and to slightly reduce the off-street parking requirement to make it easier to reconstruct commercial buildings, which may be constrained by the higher off-street parking requirement of existing zoning. Currently, any new buildings or buildings undergoing retrofits would be challenged to both meet existing high parking requirements and also become more flood resilient. This contextual change would reduce the main zoning impediment that property owners might face—high parking requirements—when making resiliency upgrades to their buildings on small lots.

D. PROPOSED PROJECT

Proposed Special Coastal Risk District and Broad Channel Subdistrict

The amendment to the Zoning Resolution would establish the Special Coastal Risk District to modify the regulations of the proposed R3A and C3A zoning to denote the area's flood risk and to limits future development. Specifically, the special district would limit future residential development to single-family detached houses only. In addition, community facilities that include sleeping or overnight accommodations would be prohibited in those areas the Special District is mapped in Broad Channel. Currently, the proposed Special Coastal Risk District it is only envisioned to be mapped in Broad Channel and Hamilton Beach (CEQR #17DCP115Q, N 170267 ZRQ), but could be used elsewhere in the city in the future.

Figure 3


Broad Channel
Zoning Change Map
R3-2
R3A
C3A
N
0
500
1,000
2,000 Feet
600' Project Area Buffer
Proposed Zoning Line/District
Eliminated Zoning District
Existing Zoning Line/District
Special Coastal Risk District - Special District Established
C1-3 Established
C2-2 Existing
Tax Block

Proposed R3A (from R3-2)

R3A is proposed for the majority of the Broad Channel rezoning area, with the exception of the area along the eastern shore of the island that is proposed to be rezoned to C3A (described below). R3A districts permit one- and two-family detached residential buildings. The maximum FAR is 0.6, which includes a 0.1 attic allowance. The minimum required lot area is 2,375 square feet and the minimum lot width is 25 feet. Front yards must be at least 10 feet deep, and side yards must total 8 feet. One off-street parking space is required for each dwelling unit. Community facilities are allowed a maximum FAR of 1.0.

The proposed R3A district would be modified by the proposed Broad Channel Subdistrict, described above, of the Special Coastal Risk District so that the only type of permitted residential development would be single-family detached.

Proposed C3A (from R3-2)

C3A is proposed on Broad Channel's southeast shore, where existing uses include a mix of marinas and boat parking and single-family residences. The proposed district is generally bounded by Lanark Road, a US Pierhead and Bulkhead Line, Van Brunt Road, and Channel Road.

C3A districts permit waterfront recreational activities, primarily boating and fishing, in areas along the waterfront that are usually adjacent to residential docks. Permitted activities include facilities for docking, renting, services and storing fishing and pleasure boats, aquatic sports equipment sales and rentals, bicycle shops, ice cream stores and public and private beaches. The FAR is 0.6, which includes a 0.1 attic allowance. The residential equivalent is R3A, which is described above.

The proposed C3A district would be modified by the proposed Broad Channel Subdistrict of the Special Coastal Risk District so that the only type of permitted residential development would be single-family detached.

Proposed C1-3 Overlay (from C1-2)

This proposal would rezone an existing commercial node centrally located in Broad Channel on Cross Bay Boulevard to reflect existing development patterns. The proposed rezoning is from C1-2 to C1-3 and the area is generally bounded by East 8th Road, Church Road, East 10th Road, West 10th Road, Power Road, West 9th Road, and Cross Bay Boulevard. This contextual change would also reduce the a potential zoning impediment that property owners might face—high parking requirements—when making resiliency upgrades to their buildings on small lots.

C1-3 allows for commercial development that serves the local shopping needs of the communities and has an FAR of 1.0 when mapped in R1 through R5 districts. The change in overlay would slightly reduce the off-street parking requirement for commercial uses; current C1-2 overlays require one space for every 300 square feet of commercial floor area, the proposed C1-3 overlay requires one space for every 400 square feet of commercial floor area. Under C1-3, a higher number of retail businesses would be eligible for a waiver from parking requirements than under the current C1-2 overlay.

E. REASONABLE WORST-CASE DEVELOPMENT SCENARIO

In order to assess the possible effects of the proposed action, a reasonable worst case development scenario was developed for both the current zoning (Future No-Action) and proposed zoning (Future With-Action) conditions for a fifteen (15) year period (build year 2032). The incremental difference between

the Future No-Action and Future With-Action conditions will serve as the basis for the impact analyses of the Environmental Assessment Statement. A build year fifteen (15) years into the future was chosen. While there is significant construction on Broad Channel currently, this is all related to rebuilding after Hurricane Sandy, and in general the market for new development is limited. In addition, the residential rezoning is intended to limit the density of future development, and thus the allowable number of new residential units over time. Development under the proposed zoning is likely to be seen slowly, due to limited market demand.

To determine the With-Action and No-Action conditions, standard methodologies have been used following the *CEQR Technical Manual* guidelines employing reasonable assumptions. These methodologies have been used to identify the amount and location of future development. In projecting the amount and location of new development, several factors have been considered in identifying likely development sites. These include known development proposals, past development trends, and the development site criteria described below. Generally, for area-wide rezonings which 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 was to identify those sites where new development could be reasonably expected to occur.

Development Site Criteria

Development sites were identified based on the following criteria:

- Lots with a total size of 5,000 sf or larger (may include potential assemblages totaling 5,000 sf, respectively, if assemblage seems probable[1]),
- Underutilized lots—defined as vacant or lots constructed to less than or equal to half of the maximum allowable FAR under the proposed zoning or where development has stalled,
- Lots located in areas where changes in use would be permitted, and
- Lots located in areas where a reduction in parking requirements would reduce the burden of meeting the higher requirement on property owners who wish to retrofit, reconstruct, or replace their existing structures in order to incorporate flood mitigation measures.

Certain lots that meet these criteria have been excluded from the scenario based on the following conditions because they are very unlikely to be redeveloped as a result of the proposed actions:

- Lots less than 5,000 sf, due to the high parking requirement for general retail of 1 per 300 sf, which is only waived if less than 15 spaces are required, or
- Lots less than 5,000 sf occupied by residential uses that could not be further subdivided are unlikely to be redeveloped with commercial uses because of lack of market demand.

Based on this criteria, one Projected Development Site was identified. The Projected Development Site (818 Cross Bay Boulevard, Block 15460, Lots 1 and 29) is located in an area currently zoned R3-2/C1-2 that is proposed to be rezoned to R3A/C1-3 (see Table A-3). In the proposed C1-3 commercial overlay, the new zoning designation would reduce the off-street parking requirement under existing zoning for new commercial buildings or redevelopments, which could be prohibitively high and thus discourage resilient

[1] *Assemblages are defined as a combination of adjacent lots, which satisfy one of the following conditions: (1) the lots share common ownership and, when combined, meet the aforementioned soft site criteria; or (2) at least one of the lots, or combination of lots, meets the aforementioned soft site criteria, and ownership of the assemblage is shared by no more than three distinct owners.*

investments. While this change is intended to reduce the impediment to resilient redevelopment, it is not expected that significant new development will result as market demand is low.

The proposed rezoning from R3-2 to C3A in combination with the proposed special district would not induce any significant new development but instead bring existing water-related commercial uses into conformance. Other development new water-related commercial uses along the eastern shore of Broad Channel would be limited by regulatory restrictions, such as NYS Department of Environmental Conservation wetlands buffer requirements, NYC Department of Citywide Administrative Services deed restrictions on many lots, and NYC Building Code requirements for any parcels within the V Zone in the 2015 Preliminary Flood Insurance Rate Maps. Because it is unlikely that new water-related commercial uses would be developed in the proposed C3A district of these restrictions it is unlikely that the proposed C3A would result in any new development.

Table A-3: Projected Development Sites			
Site Number	Block	Lot	Address
1	15460	1	818 Cross Bay Boulevard
	15460	29	East 9th Road

Future No Action Scenario

While difficult to project with certainty, due to the limited market for new development, based on past trends over ten years, it is anticipated that in the future no action scenario, no change from existing conditions is anticipated to occur (see Table A-4). New development, aside from reconstruction following Hurricane Sandy, is rare, especially in the commercial areas. The most recent commercial development, over the past twenty years, at the intersection of Cross Bay Boulevard and East 9th Road includes a building that sits vacant and another development site that stalled mid-way through construction. This trajectory of slow development, coupled with the fact that most commercial lots are already built out to the maximum FAR, indicates there would not be an increase or decrease in development compared to existing conditions, including residential development.

Table A-4: Future no action scenario								
Site Number	Block	Lot	Lot Size	Residential Square Footage	Commercial Square Footage	Accessory Residential Parking Spaces	Building Height	Residential Units
1	15460	1	3,000	0 sf	0 sf	0	25’	0
	15460	29	2,100	0 sf	0 sf	0	n/a	0

Future With-Action Scenario

As discussed above, based on the soft site analysis, one (1) development site is anticipated to occur over a fifteen (15) year period (see Table A-5). Market demand is low, recent development is vacant or stalled, and existing development has maxed out the available FAR. However, there is one (1) development site that could result from an assemblage of two lots greater than 5,000 sf (a stalled development site and a vacant lot).

For this stalled development site, since development has not been completed in over ten years, it is not projected that this site would be completed in the future. It is anticipated, if anything, the half completed

structure would be torn down and a new owner would build a new building in its place. The projected development on Site 1 would be a mixed-use two-story building with ground floor retail and one residential unit located on the second floor. One accessory residential off-street parking space would be located off of East 9th Road. The projected two-story mixed use building would be of a very similar scale to the adjacent two-story commercial building to the north and would be of a similar height as a several of the nearby residential buildings. This usage mix was determined through analyzing modeling and site constraints.

Table A-5: Future with-action scenario

Site Number	Block	Lot	Lot Size	Residential Square Footage	Commercial Square Footage	Accessory Residential Parking Spaces	Building Height	Residential Units
1	15460 15460	1 29	5,100	900 sf	4,200 sf	1	25’	1

Table A-6: Increment

Site Number	Block	Lot	Lot Size	Residential Square Footage	Commercial Square Footage	Accessory Residential Parking Spaces	Building Height	Residential Units
1	15460 15460	1 29	5,100	+900 sf	+4,200 sf	1	+25’	+1

Qualitative Analysis of the Reduction in Permitted Residential Units

The proposed actions are not intended or expected to result in a decrease in the number of existing residential units in the area. Any residential uses that would be considered legally non-conforming under the proposed actions would be grandfathered and permitted to continue. However, the proposed actions are intended to ensure that any future residential development in neighborhood would be of a lower density which is more appropriate for an area that is highly vulnerable to flooding.

Although the proposed actions would result in a decrease in the density of future residential development, they are not expected to have any negative impacts on the housing market or construction industry in the Broad Channel area. In order to determine the potential for impacts on the housing market and the construction industry resulting from the prosed actions a qualitative analysis was performed. This qualitative analysis took into consideration development trends in the neighborhood over the past 10 years and examined, the amount of vacant developable sites, and the development potential on these sites under both the existing and proposed zoning. Vacant sites were chosen for this analysis because, although there are some under built sites in the neighborhood that could accommodate additional development, it is more likely that vacant sites would be redeveloped because they would not be encumbered by the presence of existing buildings. In addition, certain vacant sites were not analyzed because of limitations on their development potential such as small size, highly irregular shape, or restrictions imposed by the city, state, or federal government.

As previously described, the proposed R3A and C3A districts would be modified by the proposed Broad Channel Subdistrict of the Special Coastal Risk District so that only single-family detached residential uses would be permitted. Under the existing zoning it is theoretically possible that roughly 350 additional

residential units could be developed on 106 developable lots in the Broad Channel area. Because very little new development has occurred in the past ten years in the neighborhood, it is highly unlikely that this number of additional units would be developed. Demand in the local housing market is unlikely to support this amount of development. Under the proposed actions the potential numbers of new residential units that could theoretically be developed on the same sites is roughly 150. This reduction in residential units is due to a change in the permitted building typology as opposed to the number of developable lots; whereas before new multi-family detached, semi-detached, and attached residential uses were allowed, under the new zoning, only single-family detached residences would be allowed. Therefore the theoretical reduction in the amount of residential development between the no action and with-action scenarios is roughly 200 units.

	Potential Dwelling Units			
	Zoning		Difference	
Developable Lots	Existing R3-2	Proposed R3A	Number	Percent Change
106	350	150	-200	57.14

LAND USE, ZONING, & PUBLIC POLICY

Introduction

Under *CEQR Technical Manual g*uidelines, an assessment of zoning is performed in conjunction with a land use analysis when an action would change the zoning or result in the loss of a particular use. Similar to zoning, an assessment of public policy typically accompanies an assessment of land use. Under CEQR, a land use analysis characterizes the uses and development trends in the study area that may be affected by a proposed action, and determines whether the action is compatible with or may affect those conditions. The analysis considers the proposed actions' compliance with, and effect on, the area's zoning and any applicable public policies.

This section will describe the diversity and concentration of activities and services in the area, the zoning regulations that govern them and other relevant data regarding the future of the affected area. Specifically, the section will describe the existing built conditions, land use trends and the anticipated changes likely to occur by the year 2032 due to the proposed action.

Existing Conditions

Land Use

A land use survey was conducted for the rezoning area as well as an area within a 600-foot radius within each rezoning area boundary (see Figure 1). Tables B-1 and B-2 show the proportion of tax lots based on the land uses within this surveyed area.

The surveyed area consists of 1,160 lots covering 1,006 acres. Approximately 75 percent of these tax lots contain residential buildings. Vacant lots make up approximately 18 percent of the total number of lots. The remaining land use categories—mixed residential and commercial, commercial and office, industrial and manufacturing, transportation and utility, and public facilities and institutions, open space and recreation and parking—account for approximately five percent combined. Though only two percent of the study area's lots consists of open space and recreational uses, they account for over 82 percent of the land area within the study area.

Within the rezoning area, of the lots with residential use, nearly 90 percent are developed with one-family detached residences, approximately eight percent are developed with two-family detached residences, and approximately one percent are developed with semi-detached residences with either one or two units. Less than one percent is developed with either attached residential or multifamily buildings.

Figure 1
Broad Channel Existing Land Use

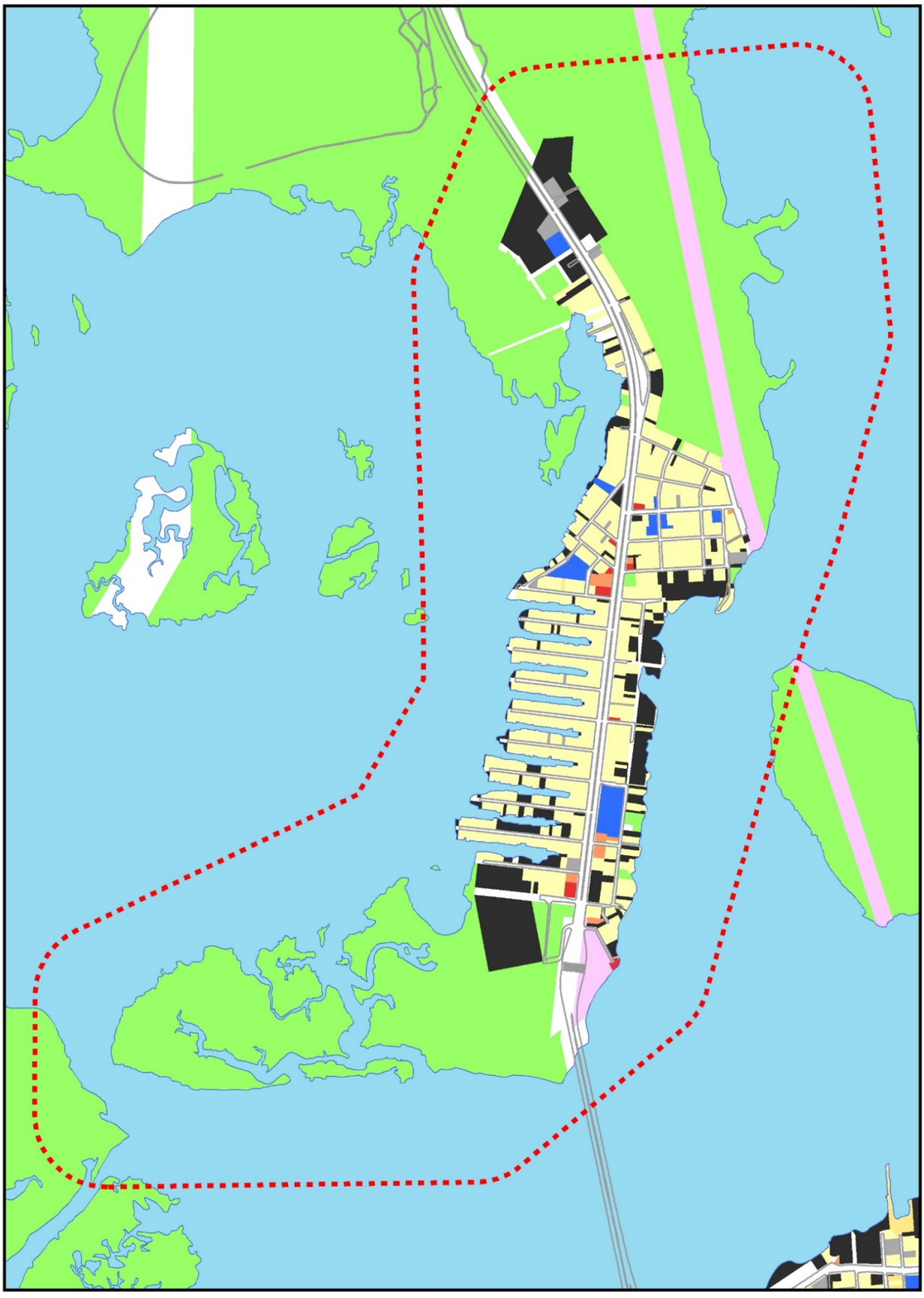


Table B-1: Broad Channel Land Use Within 600 Feet of Rezoning Area				
	Lots	% of total lots*	Area (acres)*	% of land area*
Residential	877	75.6%	100.3	10.0%
Detached One-Family	786	67.8%	91.8	9.1%
Detached Two-Family	74	6.4%	6.8	0.7%
Semi-Detached One- and Two-Family	9	0.8%	0.8	0.1%
Attached One- and Two-Family	1	0.1%	0.2	0.0%
Multi-Family Walk-Up and Elevator	1	0.1%	0.1	<0.0%
Mixed Residential and Commercial	9	0.8%	1.3	0.1%
Commercial and Office	9	0.8%	1.2	0.1%
Industrial and Manufacturing	0	0.0%	0.0	0.0%
Transportation and Utility	3	0.3%	4.2	0.4%
Public Facilities and Institutions	8	0.7%	4.5	0.4%
Open Space and Recreation	25	2.2%	832.5	82.8%
Parking Facilities	16	1.4%	2.0	0.2%
Vacant	213	18.4%	59.6	5.9%
Total	1,160		1,005.6	
For the purpose of a more accurate assessment, only the portions of park land (Block 15100, Lots 1, 100, 600, and 700) within the 600 ft. boundary have been included in the analysis. *Numbers have been rounded for clarity.				

Table B-2: Broad Channel Building Type within Rezoning Area (Residential Lots Only)		
Building Type	Lots	% of residential lots*
Detached One-Family	787	90.2%
Detached Two-Family	76	8.7%
Semi-Detached One- and Two-Family	9	1.0%
Attached One- and Two-Family	1	0.1%
Multi-Family Walk-Up and Elevator	0	0.0%
Total	877	
*Numbers have been rounded for clarity.		

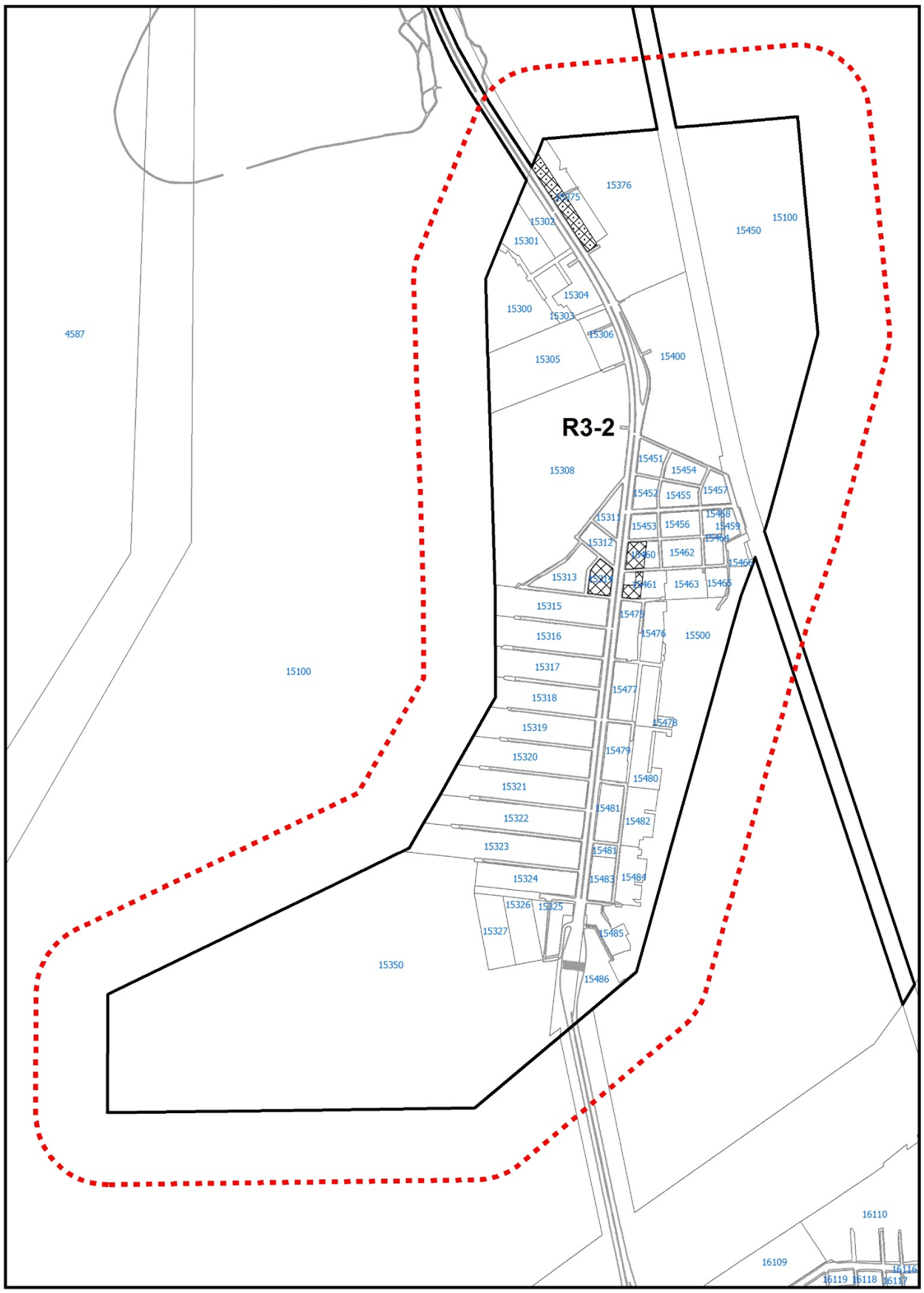
Zoning

The Broad Channel study area is currently zoned R3-2. C1-2 and C2-2 commercial overlay districts are mapped in two retail nodes (see Figure 2). These zoning districts have remained unchanged since 1961 when the current Zoning Resolution was adopted. Each of these districts is described below.

R3-2

Broad Channel is zoned R3-2 across the entire developed portion of the island, bounded by the Gateway National Recreation Area parks boundary. R3-2 allows all residential building types, including detached, semi-detached, and attached residences, as well as low-rise multi-family apartments. In R3-2 districts, residences are allowed at a maximum FAR of 0.5, which can be increased to 0.6 FAR with a 0.1 attic allowance (to allow for a pitched roof). The minimum required lot area is 3,800 square feet for detached residences and 1,700 square feet for other residences. The minimum lot width for a detached house is 40 feet, or 18 feet for other residences. The maximum perimeter wall height and building height are 21 feet and 35 feet, respectively. Front yards must be at least 15 feet deep, and side yards must total 13 feet for detached houses (with a five foot minimum for one side yard), and 8 feet for other residential building types. Required parking is a minimum of one per dwelling unit. Community facilities are allowed at a maximum FAR of 1.0.

Figure 2
Broad Channel Existing Zoning



600' Buffer
Existing Zoning Districts

Existing Commercial Overlay

C1-2
C2-2
15100 Tax Block

Broad Channel Resiliency Rezoning
NYC Department of City Planning

Commercial Overlays

A C1-2 commercial overlay is mapped in Broad Channel on Cross Bay Boulevard between East 8th and West 10th Roads. A C2-2 commercial overlay is mapped along Cross Bay Boulevard between East 1st and East 3rd Roads. C1 overlays are typically mapped within residential districts to allow a range of local retail and service establishments to serve the surrounding neighborhood. C2 overlays allow these uses, as well as large retail establishments and entertainment facilities. Specifically, C1 overlays allow Use Groups 4 through 6 (which includes community facilities, hotels, and local retail and service establishments), while C2 overlays allows a wider range of uses, under Use Groups 4 through 9 (Use Groups 7 through 9 include home maintenance services, amusement establishes, and services for business establishments) and 14 (which includes facilities for water-related uses).

When C1 and C2 overlay districts are mapped within R1 through R5 residential districts the maximum commercial FAR is 1.0, with commercial uses limited to the first floor in mixed-use buildings. Off-street parking requirements vary with the use, however, most retail uses generally require one accessory parking space per 300 square feet of commercial floor space, although the requirements can range between one space per 200 square feet and one space per 800 square feet. For C1-2 and C2-2 overlays, if the number of spaces required is less than 15, the parking requirements are waived.

Public Policy

There are a number of city policies and programs that are aimed at improving the resiliency and sustainability of the Broad Channel rezoning area. However, based on development trends and the overall vulnerability to flooding that is faced by the area, additional residential or commercial development is not expected to result from these investments.

OneNYC

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released *PlaNYC: A Greener, Greater New York (PlaNYC)*. Since that time, updates to *PlaNYC* have been issued that build upon the goals set forth in 2007 and provide new objectives and strategies. In 2015, *One New York: The Plan for a Strong and Just City (OneNYC)* was released by the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency. *OneNYC* builds upon the sustainability goals established by *PlaNYC* and focuses on growth, equity, sustainability, and resiliency. Resiliency goals outlined in the report related to the study area include supporting nature-based flood protection measures in Sunset Cove in Broad Channel, the US Army Corps of Engineers Rockaway Reformulation Study of coastal protection options, and DCP's Resilient Neighborhoods study. In addition, the Bulkhead and Raised Street Construction project in Broad Channel, under construction on West 11th through 13th Roads and in the planning phases for West 14th through 19th Roads, is expected to reduce the severity of current street flooding that occurs during spring high tide, but cannot address longer-term flood risks. The work in Broad Channel is expected to be completed within the build year, but will not directly improve resiliency for residences in the Broad Channel study area. The Army Corps Study is expected to recommend an Alternative for coastal protection, but the work remains unfunded. Finally, the Resilient Neighborhoods study will result in recommendations to improve the Flood Resilient Text Amendment, which is expected to be updated and adopted before the new Flood Insurance Rate Maps are adopted.

Waterfront Revitalization Program (WRP)

The WRP is the City's principal coastal zone management tool. Originally adopted in 1982 and revised in 2016, it establishes the City's policies for development and use of the waterfront. Revisions to the WRP were adopted by the City Council in 2013, and were then approved by the New York State Secretary of State in February 2016. All Proposed Actions subject to CEQR, Uniform Land Use Review Procedure (ULURP), or other local, state, or federal agency discretionary actions that are situated within New York City's designated Coastal Zone Boundary must be reviewed and assessed for their consistency with the WRP. The Broad Channel rezoning area is entirely within the Coastal Zone (see Figure 3).

Figure 3: Coastal Zone Boundary



The WRP contains 10 major policies, each with several objectives focused on the following: improving public access to the waterfront; reducing damage from flooding and other water-related disasters; protecting water quality, sensitive habitats (such as wetlands), and the aquatic ecosystem; reusing abandoned waterfront structures; and promoting development with appropriate land uses.

Future No-Action

In order to assess the incremental difference in land use that would result from the proposed actions, a Reasonable Worst-Case Development Scenario (RWCDS) was prepared. The RWCDS is contained in Attachment A of this Environmental Assessment Statement.

Land Use

Absent the proposed actions, land use in the study area would retain many of the same general patterns found in the existing conditions.

Zoning

There are no concurrent plans by any city agency for area-wide zoning changes in the study area. Therefore, in the No-Action scenario, it is assumed that the zoning would not change from the existing conditions. Descriptions of the existing zoning districts are provided in the previous section on Existing Conditions.

Public Policy

In the No-Action scenario, it is assumed that the public policy would not change from the existing conditions. Descriptions of the existing public policies are provided in the previous section on Existing Conditions.

Future With-Action

Land Use

The intent of the proposed rezoning is to signal flood risk to the community and to limit vulnerability by limiting the density of future development and reinforce the existing neighborhood character and current building patterns. This will be accomplished by restricting new residential development to single-family detached buildings through establishing a special district and replacing current zoning with new lower-density contextual zones. In addition, an update to the commercial overlay would more adequately reflect existing development patterns and to slightly reduce the off-street parking requirement to make it easier to reconstruct commercial buildings, which may be constrained by the higher off-street parking requirement of existing zoning. The With-Action condition contains a total 4,200 square feet of commercial space, 900 sf of residential use (one dwelling unit), and one accessory residential off-street park space. Therefore, the increments relative to the Future Without-Action conditions are: an increase of 4,200 square feet of commercial space, 900 sf of residential use (one dwelling unit), and one accessory residential off-street park space.

As described in Attachment A, in order to determine the potential for impacts on the housing market and the construction industry resulting from the prosed actions, a qualitative analysis was performed. The No-Action condition would allow for roughly 350 additional residential units to be developed on vacant or

underbuilt sites, but under the With-Action condition, only 150 additional residential units could be developed. The result is a net decrease of roughly 220 residential units. Given that very little new development has occurred in the past ten years in the neighborhood, it is highly unlikely that the number of additional units that could possibly be constructed under the No-action or With-Action condition would be developed; demand in the local housing market is unlikely to support this amount of development.

This incremental difference would not result in substantial changes in land use in the study area. The small amount of change would consist only of land uses that are compatible and consistent with land uses in and around the rezoning area. The project additional commercial use will blend harmoniously with existing uses, support area land use trends, and not introduce incompatible uses.

Furthermore, in the Future With-Action condition, existing land use patterns in residential areas would be reinforced by the proposed zoning. In appropriate areas, fewer of the detached one- and two-family homes would be replaced with semi-detached residential builds buildings. In Broad Channel, which is at risk of future daily tidal flooding from sea level rise, zoning would ensure that future development does not substantially increase the population.

Zoning

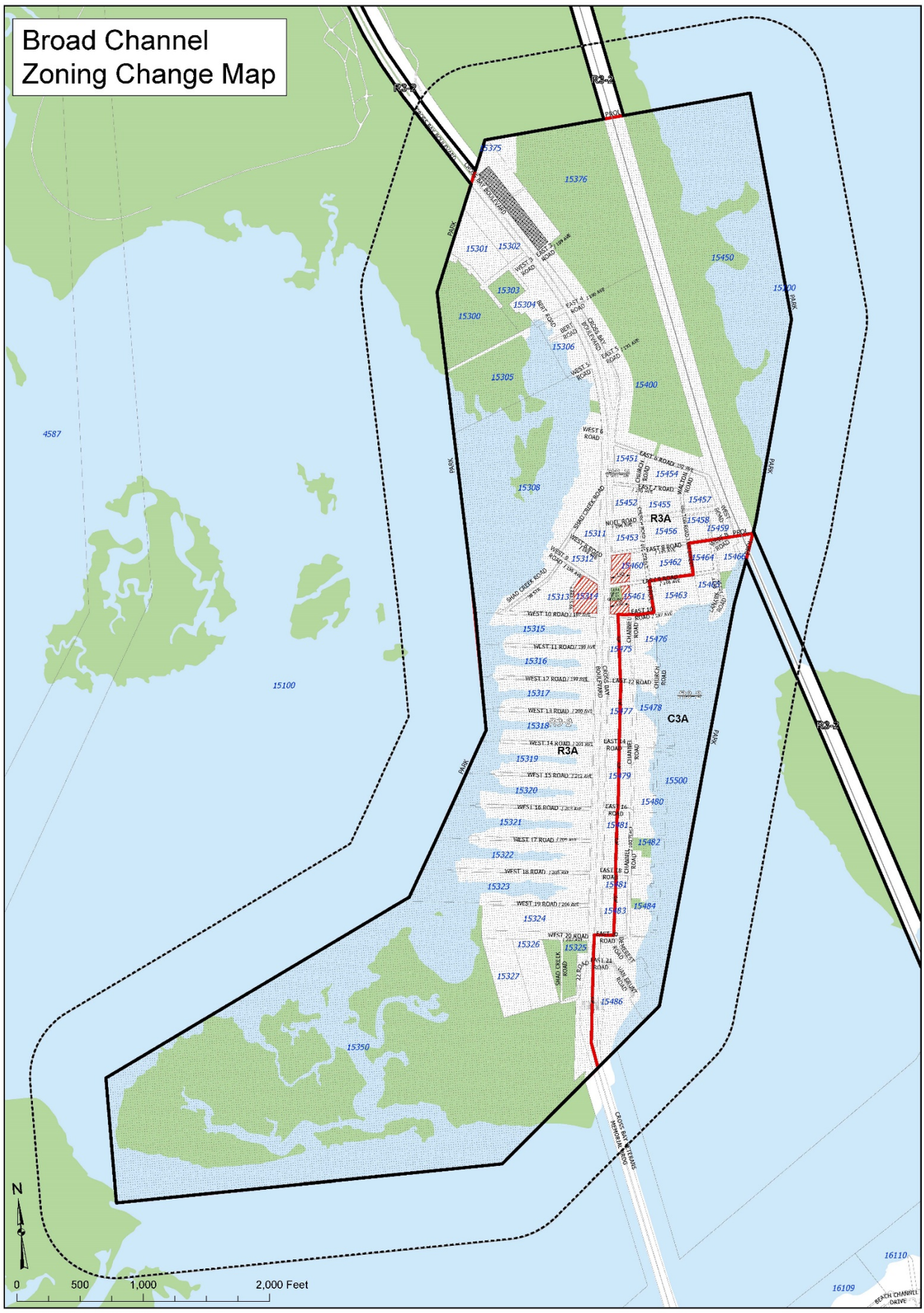
The proposed actions would affect more than 1,160 lots on approximately 60 blocks. The rezoning area covers portions of Zoning Maps 24b, 24d, 30a, and 30c. An amendment to the Zoning Map and text amendment to the Zoning Resolution are proposed to reflect existing built form, limit vulnerability by limiting future density, and promote resilient buildings in Broad Channel. As an amendment to the Zoning Resolution, a new 137-00 Special Coastal Risk District will be created, and a Subdistrict will be applied to Broad Channel (discussed below). (See Figure 4 for proposed zoning.)

<u>Proposed Special Coastal Risk District and Broad Channel Subdistrict</u>

The proposed actions would also create a Special Coastal Risk District in the Zoning Resolution, as well as a Subdistrict for Broad Channel. This zoning tool operates similar to a Special Purpose District, which can be deployed in different neighborhoods throughout the city that have similar needs. These subareas would share the same goals, but not necessarily all the same rules since each area may need rules that reflect unique local conditions. The Special Coastal Risk District has the purpose of denoting flood risk and limiting future development to building types and users appropriate for the area. Currently, it is only envisioned to be used in Broad Channel and Hamilton Beach (CEQR #17DCP115Q, N 170267 ZRQ), but could be used elsewhere in the city in the future.

For Broad Channel, the Special Coastal Risk District would be applied to the proposed underlying R3A district and would limit future development to single-family detached residences only. In addition, the special district text will stipulate that community facilities with sleeping or overnight accommodations be prohibited in Broad Channel due to the difficulties emergency vehicles face when accessing the neighborhood during rain events and spring high tides today, as well as future flooding due to sea level rise.

Figure 4


Broad Channel
Zoning Change Map
R3A
C3A
R3A
N
0
500
1,000
2,000 Feet
600' Project Area Buffer
R3A Proposed Zoning Line/District
Eliminated Zoning District
R3-2 Existing Zoning Line/District
Special Coastal Risk District - Special District Established
C1-3 Established
C2-2 Existing
15478 Tax Block

Proposed R3A (from R3-1)

R3A is proposed for the Broad Channel rezoning area, and includes the entire developed portion of the island with the exception of the area along the eastern shore of the island that is proposed to be rezoned to C3A which is described below. This rezoning is proposed to more closely reflect the single-family detached character of Broad Channel, as well as the narrow lot widths, the majority of which are 25 feet. The proposed zoning change would limit vulnerability and promote resilient buildings in Broad Channel since they would be easier to construct under updated zoning regulations.

R3A districts permit one- and two-family detached residential buildings. Residences are allowed at a maximum FAR of 0.5, which can be increased to 0.6 FAR with a 0.1 attic allowance (to allow for a pitched roof). The minimum required lot area is 2,375 square feet and the minimum lot width is 25 feet. One off-street parking space is required for each dwelling unit. Front yards must be at least 10 feet deep, and side yards must total 8 feet. Required parking is a minimum of 1 per dwelling unit. Community facilities are permitted at an FAR of 1.0.

The proposed R3A district would be modified by the proposed Broad Channel Subdistrict of the Special Coastal Risk District so that the only type of permitted residential development would be single-family detached.

Proposed C3A (from R3-2)

A C3A district is proposed on Broad Channel's southeast shore, where existing uses include marinas and boat parking, alongside existing residences. The proposed district is generally bounded by Lanark Road, Channel Road, a US Pierhead and Bulkhead Line, and Van Brunt Road. This would bring existing uses into conformance and would provide additional land use options for properties here.

C3A districts permit waterfront recreational activities, primarily boating and fishing, in areas along the waterfront that are usually adjacent to residential docks. Permitted activities include facilities for docking, renting, services and storing fishing and pleasure boats, aquatic sports equipment sales and rentals, bicycle shops, ice cream stores and public and private beaches. Residences are allowed, as the residential equivalent is R3A, at a maximum FAR of 0.5, which can be increased to 0.6 FAR with a 0.1 attic allowance (to allow for a pitched roof). The area would also be modified by the Special District described below.

The proposed C3A district would be modified by the proposed Broad Channel Subdistrict of the Special Coastal Risk District so that the only type of permitted residential development would be single-family detached.

Proposed C1-3 Overlay (from C1-2)

This proposal would rezone an existing commercial node centrally located in Broad Channel on Cross Bay Boulevard to reflect existing development patterns. The proposed rezoning is from C1-2 to C1-3 and the area is generally bounded by East 8th Road, Church Road, East 10th Road, West 10th Road, Power Road, West 9th Road, and Cross Bay Boulevard. This contextual change would reduce the main zoning impediment that property owners might face—high parking requirements—when making resiliency upgrades to their buildings on small lots.

C1-3 allows for development that serves the local shopping needs of the communities and has an FAR of 1.0. However, parking requirements are lower, at a minimum of one per 400 square feet of floor area for general retail uses, compared to one per 300 under current zoning in the existing commercial node. For C1-3 overlays, if the number of spaces required is less than 25, the parking requirements are waived. Under C1-3, a higher number of retail businesses would be eligible for a waiver from parking requirements than under the current C1-2 overlay.

Public Policy

The proposed actions reinforce the existing neighborhood character and current building patterns by replacing current zoning with new lower-density contextual zones. The actions support the City's resiliency goals to reduce long-term vulnerability to manage growth in vulnerable areas. Given the consistency of the proposed actions with established policies of the Department of City Planning and the City of New York, it is anticipated that the proposed actions would not result in a significant adverse impact on public policy.

OneNYC

OneNYC focuses on growth, equity, sustainability, and resiliency. The City's 2013 climate resiliency plan recommended further study into how land use policy can be a tool for resiliency. Ten neighborhoods, including Broad Channel, impacted by Sandy across the city are currently involved in planning studies to generate resiliency recommendations and land use changes, on both a local and citywide level. These recommendations are expected to reduce long-term vulnerability by smartly managing growth and development in vulnerable parts of the city.

Waterfront Revitalization Program (WRP)

As noted above, the Project Area is located within the city's Coastal Zone and, therefore, the proposed project is subject to review for consistency with the policies of the WRP. The WRP includes policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. The WRP Consistency Assessment Form (see Appendix C) lists the WRP policies and indicates whether the proposed project would promote or hinder that policy, or if that policy would not be applicable.

This section provides additional information for the policies that have been checked "promote" or "hinder" in the WRP consistency assessment form.

Policy 1: Support and facilitate commercial and residential development in areas well-suited to such development.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.

The proposed action is intended to limit density in an area vulnerable to sea level rise and future daily tidal flooding. The rezoning will limit all future development to one-family detached houses

only. It will also provide commercial buildings relief from high off-street parking requirements that may make reconstruction after a storm more challenging. The proposed action will also make it easier for existing property owners to make resiliency investments in existing homes by better matching the zoning to the existing built context. As described in Attachment A the future with-action scenario will result in an increase of 4,200 sf of commercial space, but a net reduction of roughly 200 residential units on the vacant or underbuilt lots. The proposed action is appropriate given the City's land use goals for vulnerable areas in the Coastal Zone and therefore promotes Policy 1.1.

Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.

The Broad Channel rezoning area has limited options for infrastructure improvements that would reduce vulnerability to future tidal flooding. The neighborhood is low-lying in the middle of Jamaica Bay and accessible by only one through-road, Cross Bay Boulevard. As a result, the streets are vulnerable to flooding during spring high tides today, a condition expected to worsen in the future with projected sea level rise. There is currently a bulkhead construction and street grade raising project on West 11th through 13th Roads, which will address flooding that occurs during spring high tide today. West 14th through 19th Roads are currently in the planning phases, but other roads in Broad Channel will not receive the same treatment. Importantly, this project will not address future flooding due to sea level rise. Limiting future density in the area is in line with the lack of available infrastructure options. Therefore, the project promotes Policy 1.3.

Policy 1.5: Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.

The Broad Channel Resiliency Rezoning was informed by the Resilient Neighborhoods study for the area, for which recommendations were made to align resiliency and land use goals with long-term risks associated with tidal flooding. The *Old Howard Beach, Hamilton Beach, and Broad Channel* study report highlights that the neighborhood "experiences street end flooding during rain events and spring high tide, and will likely see increased flooding with sea level rise at high tide by the 2050s under the high end projection (thirty inches). More than 700 buildings and three miles of streets could be flooded under this projection." The study recommendations, shaped by these sea level rise projections, include a rezoning to limit future growth. The proposed Special Coastal Risk District for Broad Channel will signal flood risk to current and future residents and amend underlying zoning to limit future development to one-family detached houses. Therefore, the project promotes Policy 1.5.

Policy 3: Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.

Policy 3.1: Support and encourage in-water recreational activities in suitable locations.

As part of the Broad Channel Resiliency Rezoning, a C3A district would be mapped on the southeast shore to reflect the concentration of existing water-dependent uses in the area including marinas and boat storage facilities. Under C3A, these properties would be brought into conformance with zoning and would not face obstacles from zoning if they were to undergo

resilient retrofits. Waterfront recreational activities that would be permitted include facilities for docking, renting, services, and storing fishing and pleasure boats. Other permitted uses include aquatic sports equipment sales and rentals, bicycle shops, ice cream stores and public and private beaches. Given the existing water-dependent uses in the area, plus the proximity to Cross Bay Boulevard, a major thoroughfare, this rezoning is proposed in an appropriate location. Therefore the project promotes Policy 3.1.

Policy 3.2: Support and encourage recreational, educational and commercial boating in New York City's maritime centers.

In addition to the C3A proposal mapping existing marinas on Broad Channel's southeast shore, it will also include neighboring properties to allow for upland properties to be developed in a compatible use, though still allowing for the residential equivalent (R3A) to be utilized. Any new water-dependent uses would need to meet current Building Code standards, including the latest flood resilient construction standards. Therefore, this project promotes Policy 3.2.

Policy 3.4: Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.

Any new water-dependent uses being developed on the shoreline in the proposed C3A district would need a wetlands permit from the NYS Department of Environmental Conservation. These permits would address any aquatic environmental impacts related to the wetlands and Jamaica Bay. Therefore the project promotes Policy 3.4

Policy 4: Protect and restore the quality and function of ecological systems within the New York City coastal area.

Policy 4.1: Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.

The proposed action is intended to limit density in an area vulnerable to sea level rise and future daily tidal flooding. While the project does not include specific plans to address the ecological communities of the neighboring Jamaica Bay waterbody and wetlands, it will not fragment existing biological resources or disturb plant species. Since there will be no specific adverse impacts to the ecological systems, the project promotes Policy 4.1.

Policy 4.3: Protect designated Significant Coastal Fish and Wildlife Habitats.

The proposed action is intended to limit density in an area vulnerable to sea level rise and future daily tidal flooding. While the project does not include specific plans to address the ecological communities of the neighboring Jamaica Bay waterbody and wetlands, it will not destroy or significantly impair habitat values. Since there will be no specific adverse impacts to the ecological systems, the project promotes Policy 4.3.

Policy 4.5: Protect and restore tidal and freshwater wetlands.

The proposed action is intended to limit density in an area vulnerable to sea level rise and future daily tidal flooding. Any subsequent development within tidal wetlands and adjacent areas is regulated by New York State Dept. of Environmental Conservation to ensure the preservation and protection of existing tidal wetlands in the area. Since there will be no specific adverse impacts to the ecological systems, the project promotes Policy 4.5.

Policy 6: Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

Policy 6.1: Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.

The Broad Channel Resiliency Rezoning was informed by the Resilient Neighborhoods study for the area, for which recommendations were made to align resiliency and land use goals with long-term risks associated with tidal flooding. The entire rezoning area is within the 1% annual chance floodplain as shown on the 2015 FEMA Preliminary Flood Insurance Rate Map. In addition, some portions of the neighborhood experience street end flooding during rain events and spring high tide. The proposed Special Coastal Risk District for Broad Channel will signal flood risk to current and future residents and amend underlying zoning to limit future development to one-family detached houses. The proposed action will also provide commercial buildings relief from current high off-street parking requirements that may make reconstruction after a storm more challenging, and it will bring marina properties into conformance with zoning and remove zoning obstacles if they were to undergo resilient retrofits. It will also better enable or existing property owners to make resiliency investments in existing homes by better matching the zoning to the existing built context. Therefore, the project promotes Policy 6.1.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise into the planning and design of projects in the city's Coastal Zone.

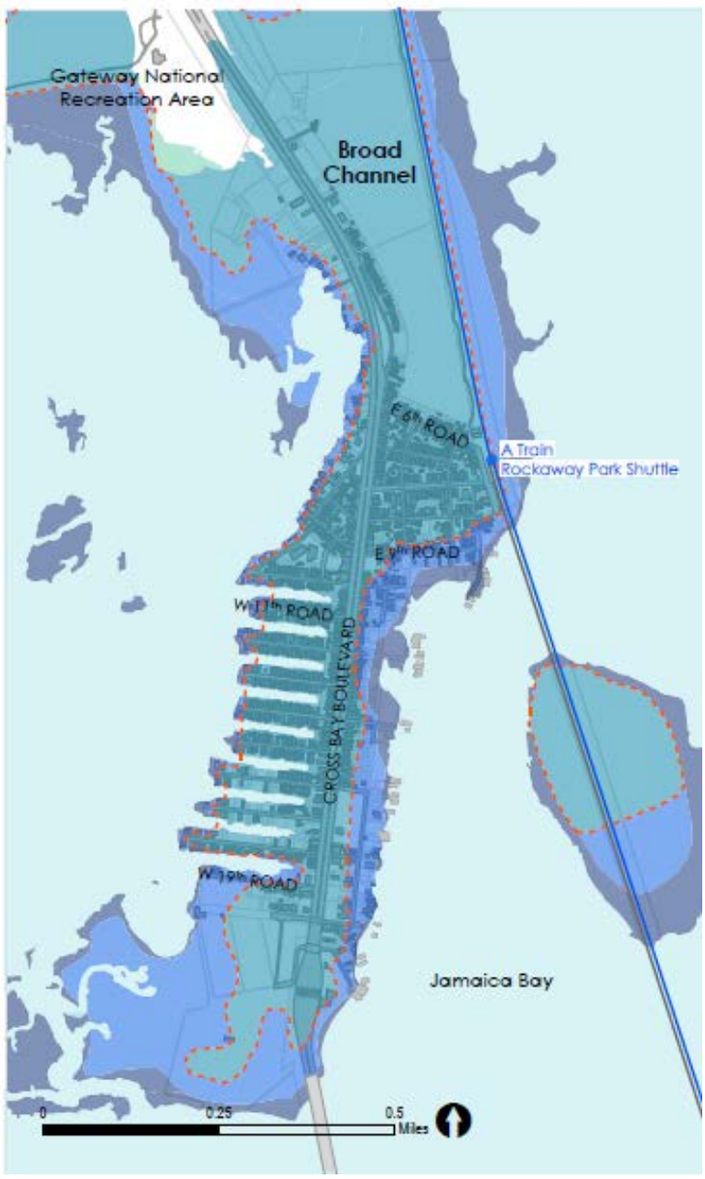
The Broad Channel Resiliency Rezoning was informed by the Resilient Neighborhoods study for the area, for which recommendations were made to align resiliency and land use goals with long-term risks from sea level rise and climate change. The entire rezoning area is within the 1% annual chance floodplain as shown on the 2015 FEMA Preliminary Flood Insurance Rate Map. The Base Flood Elevation throughout most of the area is 10 feet NAVD88, with the eastern coast of the area at 11 feet NAVD88. Some of the easternmost properties along the coast are within the V zone, with a Base Flood Elevation of 13 feet NAVD. The Base Flood Elevation averages four to six feet above grade elevation, with some portions at less than two feet above grade, and other portions more than 10 feet above grade. The *Old Howard Beach, Hamilton Beach, and Broad Channel* study report highlights that the neighborhood "experiences street end flooding during rain events and spring high tide, and will likely see increased flooding with sea level rise at high tide by the 2050s under the high end projection (thirty inches). More than 700 buildings and three miles of streets could be flooded under this projection."

The recommendations, shaped by these sea level rise projections, include a rezoning to limit future growth. The proposed Special Coastal Risk District for Broad Channel will signal flood risk to current and future residents and amend underlying zoning to limit future development to one-family detached houses. With the proposed actions, new development containing new residential and commercial uses would continue, and these developments may be affected by future flood events. However, under the Reasonable Worst Case Development Scenario, there will be a net decrease of residential units and small amount of new commercial space. In addition, the

proposed action will not allow any new community facilities with sleeping or overnight accommodations due to the difficulties emergency vehicles face when accessing the neighborhood during rain events and spring high tides today, as well as future flooding due to sea level rise.

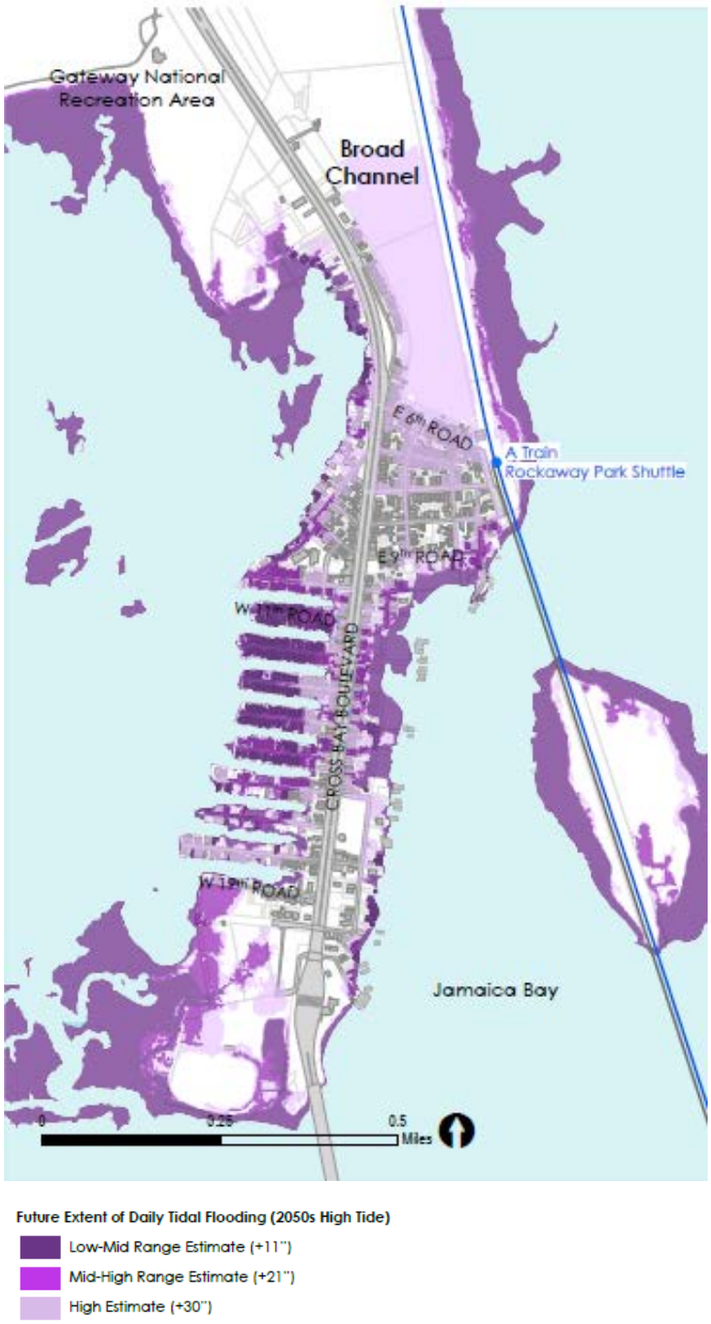
Building code requirements for flood-resistant construction, including freeboard, will apply to all new development. The proposed action would make it easier for existing property owners to make resiliency investments in existing homes, business, and marinas, and facilitate the construction of more resilient, detached homes that can be more easily retrofitted in the future. Therefore, the project promotes Policy 6.2.

Figure 5



Source: FEMA Preliminary Flood Insurance Rate Maps, 2015.

Figure 6



Sources: New York City Panel on Climate Change, NOAA, NYC Dept. of City Planning

SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Direct displacement is the involuntary displacement of residents or businesses from a site or sites directly affected by a proposed project. Indirect displacement is the involuntary displacement of residents, businesses, or employees that results from a change in socioeconomic conditions created by the proposed project. According to the *CEQR Technical Manual*, an analysis of socioeconomic conditions should be conducted if a proposed action is reasonably expected to cause substantial socioeconomic changes with the affected area. A socioeconomic assessment is typically required if an action is expected to cause the following:

- The project would directly displace more than 500 residents or 100 employees.
- The project would directly displace a business that is unusually important because its products or services are uniquely dependent on its location.
- The project would result in substantial new development that is markedly different from existing uses, development, and activities within the neighborhood as such a project may lead to indirect displacement. Residential development of 200 units or less or commercial development of 200,000 square feet or less would typically not result in significant economic impacts.
- The project would add to, or create, a retail concentration that may draw a substantial amount of sales from existing businesses, thus resulting in a potential for disinvestment on local retail street. Projects resulting in less than 200,000 square feet of retail on a single development site would not typically result in socioeconomic impacts.
- If the project is expected to affect conditions within a specific industry, an assessment is appropriate.

The proposed action is not anticipated to: directly impact any employees or businesses, directly displace a residential population or to generate any indirect impacts. Likewise, the proposed actions are not anticipated to impact a specific industry such as the housing market or construction industry in the Broad Channel area. To determine this, the qualitative analysis was reviewed.

As discussed earlier, the qualitative analysis took into consideration development trends in the neighborhood over the past 10 years and examined, the amount of vacant developable sites, and the development potential on these sites under both the existing and proposed zoning. Vacant sites were chosen for this analysis because, although there are some under built sites in the neighborhood that could accommodate additional development, the recent construction of residential uses in the area has only taken place on vacant sites. Additionally, certain vacant sites were not analyzed because of limitations on their development potential such as small size, highly irregular shape, ownership by city agencies, or restrictions imposed by the city, state, or federal government.

As previously described, the proposed R3A and C3A districts would be modified by the proposed Broad Channel Subdistrict of the Special Coastal Risk District so that only one-family detached residential uses would be permitted. Under the existing zoning, it is theoretically possible that roughly 350 additional residential units could be developed on 106 developable lots in the Broad Channel area. Given that very little new development has occurred in the past ten years in the neighborhood it is highly unlikely that this number of additional units would be developed. Demand in the local housing market is unlikely to support this amount of development. Under the proposed actions the potential numbers of new residential units that could theoretically be developed on the same sites is roughly 150. Therefore, the reduction in the amount of residential development theoretically possible between the no action and with-action scenarios is roughly 200 units.

	Potential Dwelling Units			
	Zoning		Difference	
Developable Lots	Existing R3-2	Proposed R3A	Number	Percent Change
106	350	150	-200	57.14

This reduction in density is unlikely to impact the construction and housing industry. Not only is development is this area anemic to begin with (as evidenced by the lack of development sites), but the proposed actions does not preclude future development from occurring. Additionally, the proposed actions will does not reduce the number of developable lots or structures; it simply reduces the size and density that is allowed on each of these lots.

Because the proposed actions would result in development having the same general characteristics as the existing development throughout much of the area, there would be no new or significant adverse effects on socioeconomic conditions as a result of the proposed actions. Consequently, significant adverse impacts are not anticipated and more detailed analysis is not warranted.

COMMUNITY FACILITIES AND SERVICES

The *CEQR Technical Manual* defines community facilities as public or publicly funded schools, libraries, child care centers, health care facilities, and fire and police protection. Direct effects on community facilities occur when a particular action physically alters, or displaces a community facility. Indirect effects result from increases in population which creates additional demand on service delivery.

A community facilities analysis is needed if there would be potential direct or indirect effects on a facility. Detailed community facilities analyses are most commonly associated with residential projects because demand for community services generally results from the introduction of new residents to an area.

The community facilities analysis assesses the ability of community facilities to provide services both with and without the proposed project. Whether the project would have a potential impact is based on the likelihood that the project would create demand for services greater than the ability of existing facilities to provide those services. This can result from displacement of an existing facility, thereby increasing service demand at another facility, or by an increase in population.

The proposed actions would not physically alter a community facility, whether by displacement of the facility nor would it alter it by another physical change. The proposed actions are projected to result in an increase 4,200 square feet of commercial space, 900 sf of residential use (1 dwelling unit), and one accessory residential off-street park space on one development site. Therefore, no significant adverse impacts on community facilities are expected as a result of the proposed actions. The proposed actions would not result in significant adverse impacts to community facilities and services.

OPEN SPACE

For the purpose of CEQR analyses, open space is defined as publicly accessible or privately owned land that is publicly accessible and has been designated for leisure, play, or sport; or land that is set aside for the protection and/or enhancement of the natural environment. Under CEQR, an open space analysis is conducted to determine whether or not a proposed action would have either a direct impact resulting from the elimination or alteration of open space or an indirect impact resulting from overtaxing available open space. The analyses focus only on officially designated existing or planned public open space. Open space may be public or private and may include active and/or passive areas. Active open space is the part of a facility used for active play such as sports or exercise and may include playground equipment, playing fields and courts, swimming pools, skating rinks, golf courses, lawns and paved areas for active recreation. Passive open space is used for sitting, strolling and relaxation with benches, walkways and picnicking areas.

An open space analysis may be necessary when an action would potentially have a direct or indirect effect on open space. A direct impact would physically change, diminish, or eliminate an open space or reduce its utilization or aesthetic value. An indirect impact could result if an action would introduce a substantial new user population that would create or exacerbate an over utilization of open space resources.

The proposed action is not anticipated to have any direct effects on an open space as the proposed project would not physically change any open space. Additionally, the proposed action is also not anticipated to have any indirect effects. As previously discussed, the proposed actions is only expected to lead to one projected development site, an increase of 4,964 sf commercial space, which would not substantially add to or subtract from the worker population in the commercially zoned areas. The proposed actions would also led to a net decrease in residential density over time which would not noticeably diminish the ability of an area's open space to serve the future population. Therefore, the proposed actions are not expected to have a direct or indirect effect on open space.

SHADOWS

The proposed actions are not expected to result in significant adverse shadow impacts. Under CEQR, a shadow is defined as the circumstance in which a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space, or feature. An adverse shadow impact is considered to occur when the shadow from a proposed project falls on a publicly accessible open space, historic landscape or other historic resource if the features that make the resource significant depend on sunlight, or if the shadow falls on an important natural feature and adversely affects its use and/or important landscaping and vegetation. In general, shadows on City streets and sidewalks or on other buildings are not considered significant under CEQR. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are not considered significant under CEQR, and their assessment is not required.

Since the proposed action will not result in structures above the CEQR threshold of 50 feet, and the one projected development site is not adjacent to or across the street from a sunlight-sensitive resources

such as a park, historic resource, important natural feature, no significant adverse impacts are expected and no further shadow analysis is warranted.

URBAN DESIGN AND VISUAL RESOURCES

The *CEQR Technical Manual* outlines an assessment of urban design 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.

As previously described, the only new development that is projected to result from the proposed action is a two-story mixed-use building with ground floor retail and residential use on the second on one site on Cross Bay Boulevard. The proposed actions would not modify the yard, height, setback, or allowable floor area for this type of development on this site from what is permitted today and would result in a building very similar in form to the immediately adjacent existing structures along Cross Bay Boulevard. As the pedestrian would be unable to observe from the street level, a physical alteration beyond what is currently allowed by existing zoning the proposed actions would have no adverse impacts on urban design.

Additionally, the proposed actions have been crafted to reinforce the neighborhoods built character. As previously described, the 90.2% of the existing residential buildings in Broad Channel are single-family detached. While the existing R3-2 zoning would permit a variety of residential building typologies, the proposed R3A district and Broad Channel subdistrict would limit future residential development to single-family detached buildings that would be in keeping with the areas built character. The proposed C3A district would also reinforce the unique built character of the islands eastern shore by bring existing water related uses such as marinas into conformance. Consequently, significant adverse impacts are not expected and detailed analyses are not warranted.

HAZARDOUS MATERIALS

For hazardous materials, the goal for CEQR is to determine whether the proposed project may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. If significant adverse impacts are identified, CEQR requires that the impacts be disclosed and mitigated or avoided to the greatest extent practicable.

As discussed earlier, for the proposed actions, there is one development site which is vacant, containing a stalled construction site which has cars inside of it. Given the site's auto storage, this site could include the potential for increased exposure detrimental to the health and safety of workers during construction,

the potential for the transport of contaminated soil, or the potential for increased exposure for future residents or employees of individual buildings on these sites. As a result, the proposed zoning map actions includes an (E) designation.

By placing an (E) designation (E-417) on sites where there is a known or suspect environmental concern, the potential for an adverse impact to human health and the environment resulting from the Proposed Actions would be reduced or avoided. The (E) designation provides the impetus to identify and address environmental conditions so that significant adverse impacts during site development would be reduced. The New York City OER would provide the regulatory oversight of the environmental investigation and remediation during this process. Building permits are not issued by the Department of Buildings without prior OER approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the NYC Zoning Resolution (Environmental Requirements).

The (E) designation would require that the fee owner of such a site conducts a testing and sampling protocol and have an approved remediation plan where appropriate, to the satisfaction of the OER. The NYC Department of Buildings will typically issue the foundation permits when OER approves the remedial action work plan – the actual remediation is usually done concurrently with the construction. The remediation plan provided to OER to satisfy the (E) designation must also include a mandatory construction-related health and safety plan, which must also be approved by OER.

The (E) designation requirements related to hazardous materials would apply to projected development site one and the (E) designation text is as follows:

> **Task 1**
> **The applicant submits to OER, for review and approval, a Phase 1 of the site along with a soil and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.**
>
> **If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.**
>
> **Task 2**
> **A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.**
>
> **If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.**

An OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

All demolition or rehabilitation would be conducted in accordance with applicable requirements for disturbance, handling and disposal of suspect lead-paint and asbestos-containing materials. For all projected and potential development sites where no E-designation is recommended, in addition to the requirements for lead-based paint and asbestos, requirements (including those of NYSDEC) should petroleum tanks and/or spills be identified and for off-site disposal of soil/fill would need to be followed.

With the requirements of the (E) designation, there would be no impact from the potential presence of contaminated materials. The implementation of the preventative and remedial measures outlined in the (E) designation would reduce or avoid the potential of significant adverse hazardous materials impacts from potential construction in the rezoning area resulting from the Proposed Actions. Following such construction, there would be no potential for significant adverse impacts.

SOLID WATE AND SANITATION

The New York City Department of Sanitation (DSNY) is the city agency responsible for the collection and disposal of municipal solid waste and recyclable materials generated by residences and some nonprofit institutions. Commercial establishments contract with private waste carters for waste and recyclables collection and disposal. Wastes with special characteristics, such as medical wastes, are subject to specific handling and disposal regulations.

According to the *CEQR Technical Manual*, actions that result in development of housing or other development generally do not require an assessment of consistency with the City's Solid Waste Management Plan and for solid waste impacts, unless they are unusually large in nature. Few projects have the potential to generate substantial amounts of solid waste (50 tons per week or more) and, therefore, most projects would not result in a significant adverse impact. However, it is recommended that the solid waste and service demand (if relevant) generated by a project be disclosed, based on an estimate using Table 14-1.

Table M-1: Expected Solid Waste Generation on Projected Development Sites (No-Action)

Use	Floor Area (sf)	Population	Solid Waste Generation Rate (lbs/wk)	Solid Waste Generation	
				(lbs/wk)	(tons/wk)
Vacant Site, Stalled Site	**0**	**0**	**0**	**0**	**0**
Total Solid Waste Generation				**0**	**0**
Solid Waste Handled by DSNY (includes residential and all CF uses)					
Solid Waste Handled by Private Carters				***0***	***0***

Table M-2: Expected Solid Waste Generation on Projected Development Sites with the Proposed Actions

Use	Floor Area (sf)	Population	Solid Waste Generation Rate (lbs/wk)	Solid Waste Generation	
				(lbs/wk)	(tons/wk)
Retail	**4,200**	**13 employees**	**79 per employee**	**1,027**	**0.5**
Residential	**900**	**1 dwelling unit**	**41 per unit**	**41**	**0.02**
Total Solid Waste Generation				**1,068**	**0.52**
Solid Waste Handled by DSNY (<u>includes</u> residential <u>and all CF</u> uses)				***41***	***0.02***
Solid Waste Handled by Private Carters				***1,027***	***<u>0.5</u>***

<u>Notes:</u>
Solid waste generation is based on citywide average waste generation rates presented in Table 14-1 of the *CEQR Technical Manual* , and estimates of workers by use, as follows:
General retail: 79 lbs/wk per employee; assume 3 employees per 1,000 sf.
Residential use: 41 lbs/wk per dwelling unit.

As the proposed rezoning is only anticipated to generate 0.52 tons per week it would not result would not adversely affect the delivery of sanitation services, or place a significant burden on the City's solid waste management system. Furthermore, the proposed project is anticipated to reduce overall density in Project Area. There would be no impact on solid waste and sanitation services, and no further analysis is necessary.

ENERGY

CEQR, requires a discussion of the effects of the proposed project on the use and conservation of energy, if applicable and significant. Energy analyses focus on an action(s) consumption of energy, as well as any relevant effects on energy transmission as a result of an action(s). All new structures requiring heating and cooling systems are subject to the New York State Energy Conservation Code, reflecting State and City energy policies. Detailed assessments of energy impacts are limited to projects that could significantly affect energy transmission or generation, or that would generate substantial indirect energy consumption.

The proposed actions are projected to result in an increase 4,200 square feet of commercial space, 900 sf of residential use (1 dwelling unit), and one accessory residential off-street park space on one development site. Therefore, the proposed project is not anticipated to result in adverse energy impacts and does not require further analysis.

TRAFFIC AND PARKING

The objective of traffic and parking analyses is to determine whether a proposed action would have a significant impact on street and roadway conditions and/or on parking resources. This includes the sufficiency of the street network to adequately process the proposed action's expected traffic flow and changes in operating conditions, and the effect of the proposed action on parking resources in the area.

To determine the potential for the proposed actions to result in significant adverse impacts to traffic and parking, screening analyses were performed pursuant to the methodologies identified in the CEQR

Technical Manual. Based on the projected development scenario, there would be a net increase of only two residential dwelling units, and a net increase of two accessory residential parking spaces.

Traffic

The *CEQR Technical Manual*, in Table 16-1, identifies minimum development densities that potentially require detailed traffic analysis. For residential developments located in Zone 5 such as the proposed rezoning, the development threshold is 100 dwelling units or for 10,000 gsf of local retail, which the proposed action would not exceed. The *CEQR Technical Manual* states that if an action would result in development greater than the development threshold, a preliminary trip generation analysis will generally be appropriate to determine the volumes of vehicular trips expected during the peak hours.

The proposed actions are projected to result in an increase 4,200 square feet of commercial space, 900 sf of residential use (1 dwelling unit), and one accessory residential off-street park space on one development site as previously discussed. Under the prosed actions the development threshold of the *CEQR Technical Manual* of 100 dwelling units or 10,000 gsf of local retail is not reached, therefore, no adverse effect on traffic or significant impacts to traffic conditions are not expected and no further analysis is warranted.

Parking

Based on the projected development scenario, there would be no change in the number of accessory off-street parking spaces between the no action and with-action conditions. Therefore the threshold of 60 additional parking spaces for analysis set by the *CEQR Technical Manual* is not met. Therefore no further analysis is warranted.

Conclusion

The projected development under proposed action would not exceed the development threshold of the *CEQR Technical Manual*, therefore, no adverse effect on traffic and parking conditions or significant impacts on traffic and parking conditions are not expected and no further analysis is warranted pertaining to transportation.

AIR QUALITY

Under *CEQR*, two potential types of air quality impacts are examined: mobile and stationary source impacts. Potential mobile source impacts are those that could result from an increase in traffic in the area, resulting in greater congestion and higher levels of carbon monoxide and particulates. Potential stationary source impacts are those that could occur from stationary sources of air pollution, such as major industrial processes or heat and hot water boilers of major buildings in close proximity to the proposed project. Both the potential impacts of buildings surrounding the proposed project and potential impacts of the proposed project on surrounding buildings are considered in this assessment.

Mobile Source

Under guidelines contained in the *CEQR Technical Manual,* and in this area of New York City, projects generating fewer than 170 additional vehicle trips or 23 HDDV in any given hour are considered as unlikely to result in significant mobile source impacts, and do not warrant detailed mobile source air quality

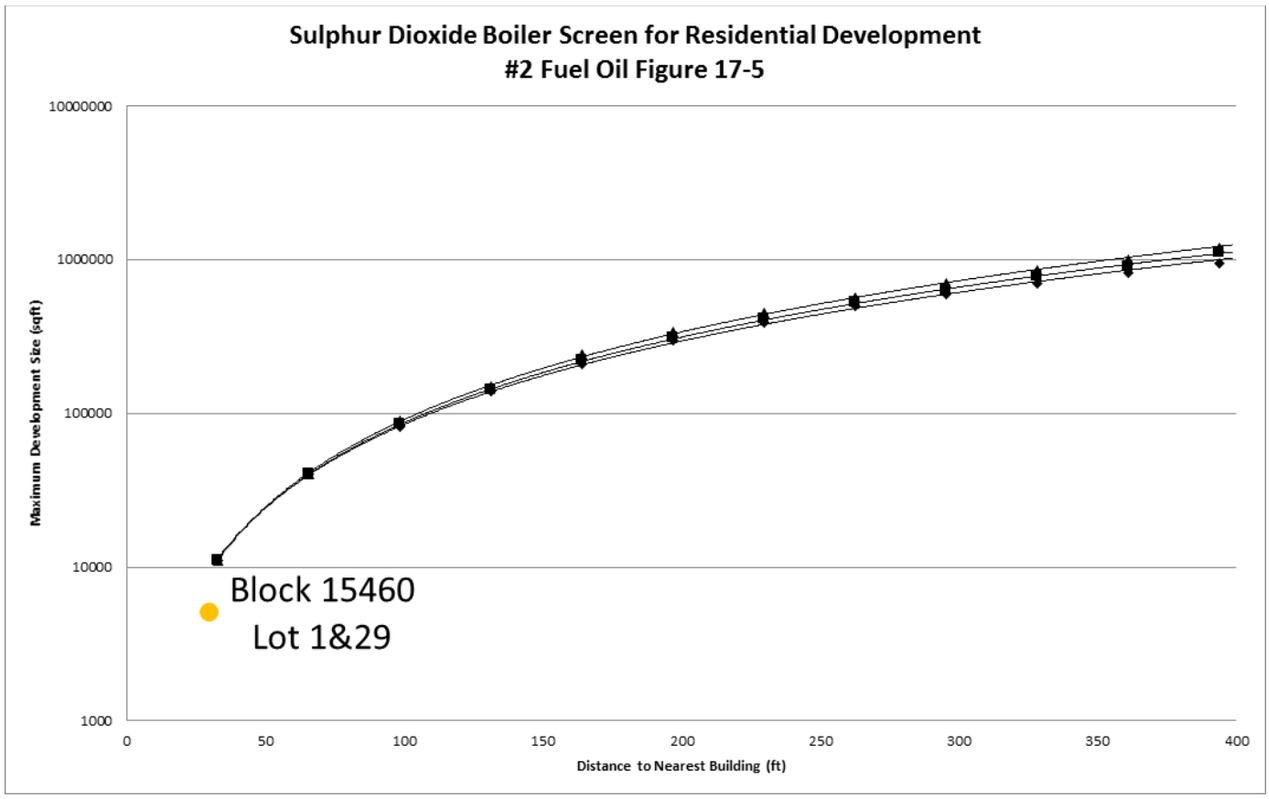
studies. Therefore, no detailed air quality mobile source analysis will be required per the *CEQR Technical Manual*, and no significant mobile source air quality impacts will be generated by the proposed action.

Stationary Source

The stationary air quality impacts that were addressed in this analysis include the potential for emissions from the heating, ventilation and air conditioning (HVAC) systems of the proposed development to significantly impact nearby existing land uses.

A screening analysis was performed, using the methodology described in the *CEQR Technical Manual*, to determine if the heat and hot water systems of the proposed building will result in potential air quality impacts to another building in the area. This methodology determines the threshold of development size below which the action will not have a significant impact. The results of this analysis found that there will be no significant air quality impacts from the project's heating, ventilation, and air conditioning (HVAC) systems.

Impacts from boiler emissions are a function of fuel type, stack height, minimum distance from the source to the nearest building of similar or greater height, and the square footage size of the building. The proposed development will be approximately 25 feet in height and the closest building of similar height is the neighboring parcel to the north on Block 15460 Lot 3, which is approximately the same height. The CEQR Technical Manual Stationary Source Screen graph Figure 17-5 was utilized for the analysis assuming a 30-foot distance and using the 30-foot stack height curve, since the proposed building will be less than 30 feet in height. As shown on the below screen from the *CEQR Technical Manual*, the plotted point is below the curve for a proposed building of 5,100 square feet.



As such, an (E) designation (E-417) for air quality is proposed as follow:

Block 15460, Lot 1 and 29

Any new residential and/or commercial development must ensure that the emission point of the stack is at least 28 feet above grade and that the heating, ventilating and air conditioning stack(s) is located at most 18 feet away from the lot line facing East 9 Road, to avoid any potential significant air quality impacts.

NOISE

Two types of potential noise impacts are considered under CEQR. These are potential mobile source and stationary source noise impacts. Mobile source impacts are those that could result from a proposed project adding a substantial amount of traffic to an area. Potential stationary source noise impacts are considered when a proposed action will cause a stationary noise source to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor, or if the project will include unenclosed mechanical equipment for building ventilation purposes.

Mobile Source

Relative to mobile source impacts, a noise analysis will be required if a proposed project will at least double existing passenger car equivalent (PCE) traffic volumes along a street on which a sensitive noise receptor (such as a residence, a park, a school, etc.) is located. The surrounding area is principally developed with residential and commercial uses.

A noise measurement was conducted for Rockaway Beach Boulevard Rezoning in 2016 (16DCP145Q). The measurement on Rockaway Beach Boulevard is representative for the projected development for Broad Channel because traffic is the major noise source and traffic pattern is similar for both projects. The highest recorded L_{10} at the Rockaway Beach Boulevard frontage of the subject site was 72.9 dBA during the morning period. Therefore, window-wall noise attenuation of 28 dB(A) will be required.

The following (E) designation (E-417) is proposed:

Block 15460, Lot 1 and 29

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum of 28 dB(A) window/wall attenuation in order to maintain an interior noise level of 45 dB(A). In order to maintain a closed window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning or air conditioning sleeves containing air conditioners.

Pursuant to CEQR methodology, no mobile source noise impacts will be anticipated since traffic volumes will not double due to the proposed project. Therefore, the proposed project will not result in a mobile source noise impact.

Stationary Source

The project will not locate a new sensitive receptor within 1,500 feet of a substantial stationary source noise generator, and there is not a substantial stationary source noise generator close to the Development Site. Additionally, the proposed project will not include any unenclosed heating or ventilation equipment that could adversely impact other sensitive uses in the surrounding area. Therefore, the project will not have any potentially adverse stationary source noise impacts.

Conclusion

A detailed noise analysis is not required for the proposed action, as the action will not result in the introduction of new sensitive receptors near a substantial stationary source noise generator. In addition, the proposed development will not introduce significant mobile or stationary source noise into the surrounding area.

PUBLIC HEALTH

No significant impacts related to public health are anticipated as a result of the proposed actions. Public Health includes the activities that society undertakes to create and maintain conditions in which people can be healthy. 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. Per the *CEQR Technical Manual*, for most proposed projects, a public health analysis is not necessary. When 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. The proposed actions would not create significant unmitigated adverse impacts and consequentially, no further analysis for public health is warranted.

NEIGHBORHOOD CHARACTER

No significant adverse impacts to neighborhood character are anticipated. The proposed action is expected reinforce the existing neighborhood character which is predominantly comprised of low-density one- and two-family detached residential development. Within the rezoning area, of the lots with residential use, nearly 90 percent are developed with one-family detached residences, approximately eight percent are developed with two-family detached residences, and approximately one percent are developed with semi-detached residences with either one or two units. Attached residential and multifamily buildings make up less than one percent of all residential lots. Current zoning allows for semi-detached residences and small apartment buildings, which are not representative of neighborhood character and allow for additional density in an area that is vulnerable to future daily tidal flooding with projected sea level rise. The project will replace existing R3-2 zoning with R3A zoning to reinforce neighborhood character and current building patterns. The proposed Special District is intended to signal flood risk to the community and limit the density of future development, by amending the proposed underlying R3A zoning to only allow one-family detached houses. Furthermore, updating the existing C1-2 commercial overlay at East 9th Road in central Broad Channel to C1-3 will provide commercial buildings relief from high off-street parking requirements that may make reconstruction after a storm more challenging.

As defined by the *CEQR Technical Manual*, neighborhood character is considered to be an amalgam of the various elements that give a neighborhood its distinct personality. The elements typically include land use, urban design, visual resources, historic resources, socioeconomic, traffic and noise. The proposed action is expected to be supportive of these elements and the existing neighborhood character. As the

proposed actions would result in the types of buildings that already exist in the area, they would not introduce new or significant adverse impacts to the neighborhood character.

CONSTRUCTION IMPACTS

No construction related impacts are anticipated as a result of the proposed map changes and text amendments. The proposed actions are anticipated to introduce 4,200 square feet of commercial space (Use Group 6) and 900 sf of residential use (one dwelling unit) on one projected development site as previously discussed. This development site is not located in a Central Business District or however the section of Cross Bay Boulevard on which the one development site is located is classified as an arterial highway by the Appendix H of the New York City Zoning Resolution. Although the site has frontage along Cross Bay Boulevard has a longer frontage along East 9th Road. It is highly likely that any construction related vehicles would access the site via East 9th Road. Therefore it is unlikely that construction on the site would have any significant impacts on traffic flow on Cross Bay Boulevard. Likewise, construction activities associated with the proposed actions are anticipated to be short term (less than 2 years), are not located near sensitive receptors and do not involve construction of multiple buildings. The site does have hazardous materials concerns, but with an (E) designation, this concern would be fully mitigated. Due to the small scale of the projected development the potential for impacts would be minimal.

PROPOSED ZONING TEXT AMENDMENT FOR THE SPECIAL COASTAL RISK DISTRICT – BROAD CHANNEL

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

Article I: GENERAL PROVISIONS

Chapter 1 – Title, Establishment of Controls and Interpretation of Regulations

*** * ***

11-122
Districts established

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

*** * ***

Special Purpose Districts

*** * ***

Establishment of the Special Clinton District

In order to carry out the special purposes of this Resolution as set forth in Article IX, Chapter 6, the #Special Clinton District# is hereby established.

Establishment of the Special Coastal Risk District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 7, the #Special Coastal Risk District# is hereby established.

Establishment of the Special College Point District

*** * ***

Chapter 2 – Construction of Language and Definitions

12-10
DEFINITIONS

* * *

Special Clinton District
The "Special Clinton District" is a Special Purpose District designated by the letters "CL" in which special regulations set forth in Article IX, Chapter 6, apply.

Special Coastal Risk District
The "Special Coastal Risk District" is a Special Purpose District designated by the letters "CR" in which special regulations set forth in Article XIII, Chapter 7, apply.

Special College Point District

* * *

Article XIII - SPECIAL PURPOSE DISTRICTS

Chapter 7
Special Coastal Risk District

137-00
GENERAL PURPOSES

The "Special Coastal Risk District" established in this Resolution is designed to promote and protect public health, safety and general welfare in coastal areas that are currently at exceptional risk from flooding and may face greater risk in the future. These general goals include, among others, the following specific purposes:

(a) to limit the population in areas that are vulnerable to frequent flooding, including those areas exceptionally at risk from projected future tidal flooding;

(b) to reduce the potential for property damage and disruption from regular flood events and support the City's capacity to provide infrastructure and services;

(c) to promote consistency with planned improvements, neighborhood plans, and other measures to promote drainage, coastal protection, open space and other public purposes; and

(d) to promote the most desirable use of land and thus conserve the value of land and buildings, and thereby protect the City's tax revenue.

137-10
GENERAL PROVISIONS

The provisions of this Chapter shall apply within the #Special Coastal Risk District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

137-11
District Plan and Map

The District Maps are located within the Appendix to this Chapter and are hereby incorporated and made part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

137-12
Applicability of Special Regulations

The special #use# and #bulk# regulations of this Chapter shall apply in the #Special Coastal Risk District# as set forth in the following table.

Special Regulations for the #Special Coastal Risk District#

#Special Coastal Risk District#	#Residential Use# (137-21)	#Community Facility Use# (137-22)	Modified #Bulk# Requirements (137-31)
CR–1 (Broad Channel, Queens)	X	X	

137-20
SPECIAL USE REGULATIONS

The special #use# regulations of this Section, inclusive, shall apply in the #Special Coastal Risk Districts# as set forth in the table in Section 137-12 (Applicability of Special Regulations).

137-21
Residential Use

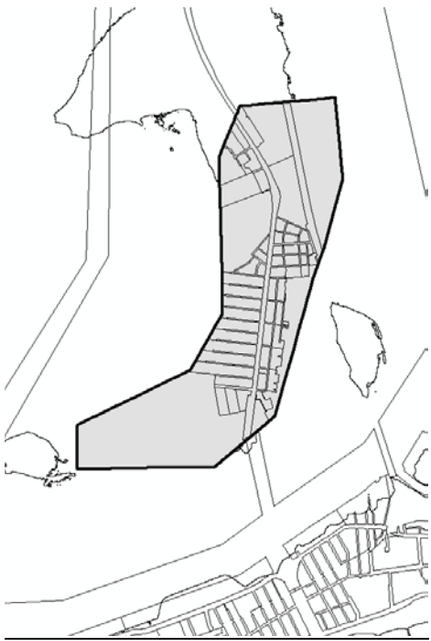
In #Special Coastal Risk District# 1, #residential uses# shall be limited to those #uses# set forth in Section 22-11 (Use Group 1).

137-22
Community Facility Use

In #Special Coastal Risk Districts#, #community facilities# with sleeping accommodations shall not be permitted.

Appendix
Special Coastal Risk District Plan

Map 1 - #Special Coastal Risk District# 1, in Broad Channel, Community District 14, Borough of Queens



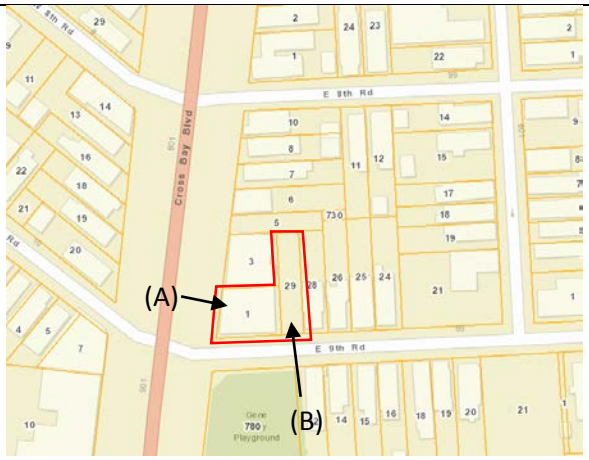
[new text map to be added]

* * *

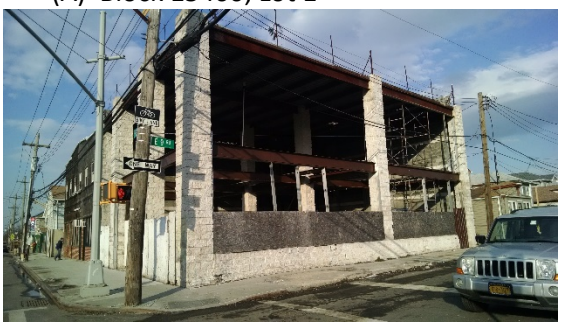
Appendix B: Broad Channel Resiliency Rezoning
Projected Commercial Sites

Broad Channel
Projected Site 1

- (A) Block 15460, Lot 1
  818 Cross Bay Boulevard
- (B) Block 15460, Lot 29
  East 9th Road
- Lot assemblage potential
- Stalled development & Vacant
- 3,000 + 2,217 = 5,217 sf
- Current zoning: R3-2/C1-2
- Proposed zoning: R3A/C1-3



(A) Block 15460, Lot 1



(B) Block 15460, Lot 29



FOR INTERNAL USE ONLY
Date Received: 2/17/17

WRP No. 17-014
DOS No. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: NYC Department of City Planning

Name of Applicant Representative: John Young, Director of Queens Office

Address: 120-55 Queens Blvd., Room 201, Kew Gardens, NY

Telephone: 718-520-2070 Email: JYOUNG@planning.nyc.gov

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The New York City Department of City Planning (DCP) proposes an amendment to the Zoning Map and an amendment to the Zoning Resolution that will affect all or portions of 60 tax blocks in Broad Channel, Queens, Community District 14. The Broad Channel rezoning area encompasses the predominantly residential portion of an island bounded by the Gateway National Recreation Area and a U.S. Pierhead and Bulkhead Line within Jamaica Bay.
1. Establish the 137-00 Coastal Risk District and establish a Broad Channel Subdistrict to signal flood risk to the community and limit the density of future development.
2. Replace existing R3-2 with R3A, which would limit new development to detached houses.
3. Replace existing R3-2 with C3A on Broad Channel's south-eastern shore to bring existing marinas into zoning conformance.
4. Replace existing C1-2 Commercial Overlay with C1-3 Commercial Overlay to help commercial uses on small lots that may not be able to accommodate the off-street parking requirement under current zoning reconstruct if damaged or destroyed.

2. Purpose of activity

Broad Channel was studied as part of the DCP's Resilient Neighborhoods, a place-based planning initiative that was launched to identify local strategies to support the vitality and resiliency of neighborhoods within the city's floodplain. Broad Channel was studied, in part, because it is among the most vulnerable neighborhoods in the city to flooding. Broad Channel faces flood hazards from storm surges generated from large storm events like Hurricane Sandy, and some parts of the neighborhood experiences periodic tidal flooding, a condition likely to become more severe over time with projected sea level rise. To reduce these flood risks and plan for adaptation over time, DCP seeks to deploy new zoning treatments in this neighborhood to limit future development and signal flood risk.
The proposed rezoning seeks to achieve the following objectives:
• Reinforce neighborhood character and established building patterns by replacing existing zoning with a lower-density contextual zoning district.
• Signal flood risk and limit the density of future development by restricting new residential development to single-family detached buildings. Reflect the mix of residences and water-dependent uses such as marina on the eastern shoreline of Broad Channel.
• Provide commercial buildings relief from high off-street parking requirements that may make reconstruction after storm damage more challenging.

C. PROJECT LOCATION

Borough: Queens Tax Block/Lot(s): multiple

Street Address: _____

Name of water body (if located on the waterfront): Jamaica Bay

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

- ☐ City Map Amendment
- ☑ Zoning Map Amendment
- ☑ Zoning Text Amendment
- ☐ Site Selection – Public Facility
- ☐ Housing Plan & Project
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____
- ☐ Zoning Certification
- ☐ Zoning Authorizations
- ☐ Acquisition – Real Property
- ☐ Disposition – Real Property
- ☐ Other, explain: _____
- ☐ Concession
- ☐ UDAAP
- ☐ Revocable Consent
- ☐ Franchise

Board of Standards and Appeals ☐ Yes ☑ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

- ☐ Legislation
- ☐ Rulemaking
- ☐ Construction of Public Facilities
- ☐ 384 (b) (4) Approval
- ☐ Other, explain: _____
- ☐ Funding for Construction, specify: _____
- ☐ Policy or Plan, specify: _____
- ☐ Funding of Program, specify: _____
- ☐ Permits, specify: _____

State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☑ No

E. LOCATION QUESTIONS

1.	Does the project require a waterfront site?	☐ Yes	☑ No
2.	Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters?	☐ Yes	☑ No
3.	Is the project located on publicly owned land or receiving public assistance?	☐ Yes	☑ No
4.	Is the project located within a FEMA 1% annual chance floodplain? *(6.2)*	☑ Yes	☐ No
5.	Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)*	☐ Yes	☑ No
6.	Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).*	☑ Yes	☐ No

- ☐ Significant Maritime and Industrial Area (SMIA) (*2.1*)
- ☑ Special Natural Waterfront Area (SNWA) (*4.1*)
- ☐ Priority Martine Activity Zone (PMAZ) (*3.5*)
- ☐ Recognized Ecological Complex (REC) (*4.4*)
- ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (*2.2, 4.2*)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

For those policies checked Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

		Promote	Hinder	N/A
1	**Support and facilitate commercial and residential redevelopment in areas well-suited to such development.**	☑	☐	☐
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	☑	☐	☐
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	☐	☐	☑
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	☑	☐	☐
1.4	In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	☐	☐	☑
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	☑	☐	☐

		Promote	Hinder	N/A
2	**Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.**	☐	☐	☑
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☐	☐	☑
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	☐	☐	☑
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	☐	☐	☑
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	☐	☐	☑
3	**Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.**	☑	☐	☐
3.1.	Support and encourage in-water recreational activities in suitable locations.	☑	☐	☐
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☑	☐	☐
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☑
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☑	☐	☐
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	☐	☐	☑
4	**Protect and restore the quality and function of ecological systems within the New York City coastal area.**	☑	☐	☐
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☑	☐	☐
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☑	☐	☐
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☑
4.5	Protect and restore tidal and freshwater wetlands.	☑	☐	☐
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	☐	☐	☑
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	☐	☐	☑
4.8	Maintain and protect living aquatic resources.	☐	☐	☑

		Promote	Hinder	N/A
5	**Protect and improve water quality in the New York City coastal area.**	☐	☐	☑
5.1	Manage direct or indirect discharges to waterbodies.	☐	☐	☑
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☐	☐	☑
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☑
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☑
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	☐	☐	☑
6	**Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.**	☑	☐	☐
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	☑	☐	☐
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone.	☑	☐	☐
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	☐	☐	☑
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	☐	☐	☑
7	**Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**	☐	☐	☑
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	☐	☐	☑
7.2	Prevent and remediate discharge of petroleum products.	☐	☐	☑
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	☐	☐	☑
8	**Provide public access to, from, and along New York City's coastal waters.**	☐	☐	☑
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☐	☐	☑
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☑
8.3	Provide visual access to the waterfront where physically practical.	☐	☐	☑
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	☐	☐	☑

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	☐	☐	☑
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	☐	☐	☑
9	**Protect scenic resources that contribute to the visual quality of the New York City coastal area.**	☐	☐	☑
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	☐	☐	☑
9.2	Protect and enhance scenic values associated with natural resources.	☐	☐	☑
10	**Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.**	☐	☐	☑
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	☐	☐	☑
10.2	Protect and preserve archaeological resources and artifacts.	☐	☐	☑

G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: John Young, Director, Queens Office, NYC Department of City Planning

Address: 120-55 Queens Blvd., Room 201, Kew Gardens, NY

Telephone: 718-520-2070 Email: JYOUNG@planning.nyc.gov

Applicant/Agent's Signature: 

Date: 2.17.17

NYC Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 77DCP452Q
Project: HAMILTON BEACH RESILIENCY REZONING
Date received: 2/16/2017

The LPC is in receipt of 600' radius maps of the Broad Channel and Hamilton Beach rezoning areas. As per the lead agency's request, there appear to be no LPC designated or S/NR listed sites and districts within these two study areas.

Gina Santucci 2/17/2017

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 32127_FSO_GS_02172017.doc

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 77DCP452Q
Project: HAMILTON BEACH RESILIENCY REZONING
Date received: 2/3/2017

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 818 Cross Bay Boulevard, BBL: 4154600001
2) ADDRESS: East 9th Road, BBL: 4154600029
3) ADDRESS: 102-09 159th Drive, BBL: 4141820191
4) ADDRESS: Remsen Place, BBL: 4141820193

Gina Santucci 2/15/2017

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 32127_FSO_DNP_02102017.doc