ENVIRONMENTAL ASSESSMENT STATEMENT

RESILIENT NEIGHBORHOODS: OLD HOWARD BEACH
Borough of Queens

Lead Agency:

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

CEQR No.

21DCP052Q

October 16, 2020
Prepared for:

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

Prepared by:

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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 Old Howard Beach Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
21DCP052Q	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
210133 ZMQ	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			NYC Department of City Planning		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader, Director, Environmental Assessment and Review Division			John D. Young, Director, Queens Borough Office		
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 212-720-3493	EMAIL OABINAD@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*

The New York City Department of City Planning (DCP) proposes an amendment to the Zoning Map that will affect all or portions of 48 tax blocks in Old Howard Beach, Queens, in Community District 10.The Old Howard Beach rezoning area is comprised of two areas: the first generally bounded by the Belt Parkway, the elevated A Train right-of-way, 160th Avenue, 95th Street, Shellbank Basin, 156th Avenue, and Killarney Street (excluding Huron Street); and the second bounded by 164th Avenue, Hawtree Basin, 165th Avenue, and 96th Street. The proposed rezoning would replace R3-1 and R3-2 zoning with R3X zoning to reinforce the one- and two- family detached character and more closely reflect the existing residences in terms of lot width. Additionally, the proposed rezoning would replace R3-2 zoning with R3-1 zoning to reflect the semidetached character of the block along Huron Street which differs from the detached building elsewhere in Old Howard Beach. The proposed rezonings would limit density in communities vulnerable to flooding and ensure flood-resistent development that reflects neighborhood scale.

Project Location

BOROUGH Queens	COMMUNITY DISTRICT(S) 10	STREET ADDRESS Multiple
TAX BLOCK(S) AND LOT(S) Multiple		ZIP CODE
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Queens, Community District 10, Old Howard Beach		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R3-1, R3-2		ZONING SECTIONAL MAP NUMBER 18b

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

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

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

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

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

☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:

☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

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

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

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

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

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

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 16,715,138
Waterbody area (sq. ft.) and type: 1,883,839
Roads, buildings, and other paved surfaces (sq. ft.): 11,163,793
Other, describe (sq. ft.): Railroads: 116,722

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): See Attachment A
NUMBER OF BUILDINGS: See Attachment 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: 16,715,138

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): 2030

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: N/A

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

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

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

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

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	detached one-family; detached two-family; semidetached one and two family, multifamily		0	0
No. of dwelling units			0	0
No. of low- to moderate-income units			0	0
Gross floor area (sq. ft.)			0	0
Commercial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type (retail, office, other)			0	0
Gross floor area (sq. ft.)			0	0
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use			0	0
Gross floor area (sq. ft.)			0	0
Open storage area (sq. ft.)			0	0
If any unenclosed activities, specify:			0	0
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type			0	0
Gross floor area (sq. ft.)			0	0
Vacant Land	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," describe:	Vacant lots		0	0
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):			0	0
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:			0	0
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces			0	0
No. of accessory spaces			0	0
Operating hours			0	0
Attended or non-attended			0	0
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces			0	0
No. of accessory spaces			0	0
Operating hours			0	0
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:			0	0
POPULATION				
Residents	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
If "yes," specify number:				0
Briefly explain how the number of residents was calculated:				
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type				0
No. and type of workers by business				0
No. and type of non-residents who are not workers				0
Briefly explain how the number of businesses was calculated:				
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☐ NO	
If any, specify type and number:				0
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	See Attachment A			0
Maximum amount of floor area that can be developed	See Attachment A			0
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	See Attachment A			0
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☒	☐
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☒
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☒
○ 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?	☐	☐
○ 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		
○ 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?	☐	☒
○ 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		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☒
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☒
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☒
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
○ Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
○ Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
○ Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5	☐	☐

	YES	NO
percent?		
○ If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year.		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
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?	☒	☐
○ 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?	☒	☐
○ If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
(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):		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs):		
(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:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☐	☒
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(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		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☐
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-	☐	☐

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
16. *NOISE*: CEQR Technical Manual Chapter 19		
(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		10/16/2020

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

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

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

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

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

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

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

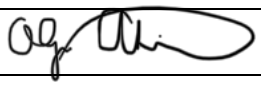
3. Check determination to be issued by the lead agency:

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

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

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

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

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY NYC Department of City Planning
NAME Olga Abinader	DATE 10/16/20
SIGNATURE 	

NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed actions. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed actions would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The New York City Department of City Planning (DCP) proposes an amendment to the Zoning Map that would affect all or portions of 48 tax blocks in Old Howard Beach, Queens, Community District 10. The Old Howard Beach rezoning area is comprised of two areas: the first generally bounded by the Belt Parkway, the elevated A Train right-of-way, 160th Avenue, 95th Street, Shellbank Basin, 156th Avenue, and Killarney Street (excluding Huron Street); and the second bounded by 164th Avenue, Hawtree Basin, 165th Avenue, and 96th Street.

The proposed rezoning would replace existing R3-1and R3-2 zoning with R3X zoning to reinforce the one-and two-family detached character and more closely reflect the existing residences in terms of lot width. Additionally, the proposed rezoning would replace R3-2 zoning with R3-1 zoning to reflect the semidetached character of the block along Huron Street which differs from the detached building elsewhere in Old Howard Beach.

The proposed rezoning would limit density in communities vulnerable to flooding and ensure flood-resistant development that reflects neighborhood scale. The change in land use and zoning would not constitute a significant adverse impact.

A separate, but related Application -the citywide text amendment, Zoning for Coastal Flood Resiliency (ZCFR) (CEQR No. 19DCP192Y), is undergoing the Uniform Land Use Procedure (ULURP) and CEQR processes simultaneously with this proposal. The ZCFR proposal, which complements this application, comprises four main objectives identified as follows: to encourage resiliency throughout the city's 1% and 0.2% annual chance floodplains; support long-term resilient design of all building types by offering flexibility in the zoning framework; allow for adaptation over time through partial resiliency strategies; and facilitate future storm recovery by reducing regulatory obstacles. The proposed ZCFR text amendment updates 2013 and 2015 flood text provisions that were adopted to aid in Superstorm Sandy recovery.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Laura Kenny at +1 212-720-3419.

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3493
NAME Olga Abinader	DATE 10/16/20
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 10/19/20
SIGNATURE	

CONTENTS

I. PROJECT DESCRIPTION 1
A. INTRODUCTION 1
B. BACKGROUND AND EXISTING CONDITIONS 2
Citywide Flood Resiliency Zoning Text Update 3
Area Description and History 3
Existing Conditions 4
Existing Zoning 5
C. PROPOSED ACTIONS AND PURPOSE AND NEED 6
Replace Existing R3-1 and R3-2 zoning with R3X 6
Replace Existing R3-2 zoning to R3-2 6
D. PROPOSED PROJECT 7
Proposed R3X (from R3-1 and R3-2) 7
Proposed R3-1 (from R3-2) 7
E. ANALYISIS FRAMEWORK 7
Development Site Criteria 8
Future No-Action Scenario 9
Future With-Action Scenario 9
II. LAND USE, ZONING, AND PUBLIC POLICY 10
A. INTRODUCTION 10
B. EXISTING CONDITIONS 10
Land Use 10
Zoning 12
Public Policy 13
C. FUTURE NO-ACTION 14
Land Use 14
Zoning 14
Public Policy 15
D. FUTURE WITH-ACTION 15
Land Use 15
Zoning 15
Public Policy 16
III. URBAN DESIGN 19
IV. NATURAL RESOURCES 20
V. OTHER ANALYSIS CATEGORIES 20

A. INTRODUCTION

The New York City Department of City Planning (DCP) proposes an amendment to the Zoning Map that would affect all or portions of 48 tax blocks in Old Howard Beach, Queens, Community District 10. The Old Howard Beach rezoning area is comprised of two areas as shown in Figure 3: the first generally bounded by the Belt Parkway, the elevated A Train right-of-way, 160th Avenue, 95th Street, Shellbank Basin, 156th Avenue, and Killarney Street (excluding Huron Street); and the second bounded by 164th Avenue, Hawtree Basin, 165th Avenue, and 96th Street.

Alongside the above action, DCP proposes a permanent, citywide text amendment known as Zoning for Coastal Flood Resiliency (ZCFR) (19DCP192Y) as well as local zoning actions within Gerritsen Beach (21DCP051K) and Sheepshead Bay (21DCP050K), Brooklyn. ZCFR's main objectives are to encourage resiliency throughout the city's current and future floodplains, offer flexibility to building envelopes within zoning, allow partial resiliency upgrades over time, and facilitate future storm recovery. The proposed text amendment is intended to replace the 2013 Flood Resilience Zoning Text Amendment and the 2015 Special Regulations for Neighborhood Recovery which were adopted following Hurricane Sandy on a temporary basis to aid recovery. Both texts are set to expire and are anticipated to be replaced by the proposed text permanently. The proposed actions in Old Howard Beach, Gerritsen Beach, and Sheepshead Bay complement the citywide action in ZCFR, and the proposals are intended to work in conjunction, not for one to supersede the other. However, they are four separate actions that will undergo public review separately, and they can all function independently. The proposed actions for Old Howard Beach are specific to a particular geographic area with targeted resiliency strategies that would not be accomplished through ZFCR alone.

Old Howard Beach was studied as part of DCP's Resilient Neighborhoods, a place-based planning initiative that was launched in 2013 to identify local strategies to support the vitality and resiliency of neighborhoods within the city's floodplain. Old Howard Beach was studied, in part, because it is among the vulnerable neighborhoods in the city to flooding. Old Howard Beach faces flood hazards from storm surges generated from large storm events like Hurricane Sandy. As sea levels rise, Old Howard Beach is projected to see a gradual increase in vulnerability to flooding from daily and monthly spring high tides. Portions of Old Howard Beach are recommended to be rezoned to limit permitted residential uses to one- and two-family detached houses ensuring flexibility to retrofit existing buildings and, as may be necessary, elevate to the Design Flood Elevation (DFE). Building to these higher flood resistant construction standards will reduce vulnerability to future floods.

The proposed actions, described in greater detail below, would reduce the density of potential future residential development in the affected Old Howard Beach project area. Therefore, a detailed analysis of this aspect of the proposal is unnecessary.

Today, Old Howard Beach is zoned R2, R3-1, and R3-2; a portion of the R3-1 district is also mapped with a C2-1 and C2-2 commercial overlays along Cross Bay Boulevard, a commercial corridor located west of Shellbank Basin (see Figure 1). These zoning districts have remained largely unchanged since 1961 when the current Zoning Resolution was adopted and do not reflect the current building pattern, which is

comprised of predominately detached residential buildings on narrow lots. Furthermore, the zoning districts do not provide adequate resiliency measures from the current and future flood risk.

DCP developed this zoning proposal through close consultation with a Community Advisory Committee whose members included representatives from Community Board 10, the Howard Beach -Lindenwood Civic Association, local elected officials, and other organizations.

The proposed rezoning seeks to achieve the following objectives:

- Ensure flood-resistant residential development reflects neighborhood scale by updating the building envelope to better match existing built context
- Prohibit semidetached residences as they are difficult to elevate and retrofit to flood resilient standards
- Reduce vulnerability to flooding and sea level rise by limiting the density of future development

These goals would be accomplished by the following land use actions:

- Replace R3-1 and R3-2 zoning with R3X zoning to reinforce the one- and two- family detached character and more closely reflect the existing residences in terms of lot width
- Replace R3-2 zoning with R3-1 zoning to reflect the semidetached character of one block along Huron Street, which differs from the detached buildings elsewhere in Old Howard Beach

B. BACKGROUND AND EXISTING CONDITIONS

According to projections by the New York 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 Hurricane Sandy, DCP advanced a temporary, emergency citywide text amendment to promote rebuilding to higher standards by addressing the most urgent zoning barriers. In 2013, DCP launched the Resilient Neighborhoods initiative to work directly with floodplain communities to look at specific local issues in certain hard-hit areas and reexamine questions of 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 are necessary to allow property owners to build and retrofit to limit damage from floods and to reduce insurance costs, as well as 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 Old Howard Beach, zoning should ensure that future development is consistent with the predominantly one- and two-family detached character of the neighborhood. The proposed actions therefore place limits on development and, as supplemented by the provisions of ZCFR, facilitate flexible and flood-resistant development across the city's floodplain.

Citywide Flood Resiliency Zoning Text Update

In addition to zoning recommendations for specific neighborhoods including Gerritsen Beach, DCP is proposing updates to the 2013 Flood Resilience Zoning Text and 2015 Special Regulations for Neighborhood Recovery, which were adopted on an emergency-basis post Hurricane Sandy to advance the reconstruction of storm-damaged properties and enable new and existing buildings to comply with flood-resistant construction standards located in Appendix G of the New York City Building Code. These zoning provisions are set to expire, and DCP proposes to improve-upon and make permanent the current allowances. The proposed text amendment (CEQR No. 19DCP192Y) would expand the geography where buildings would have access to rules that allow owners to invest in resiliency improvements to partially meet, fully meet, or exceed flood-resistant construction standards[1] ; provide enhanced building envelopes to allow owners to better accommodate projected sea level rise when designing new buildings or retrofitting existing ones without creating incongruous and uninviting streetscapes; allow more flexibility to relocate mechanical, electrical, and plumbing (MEP) equipment or install backup systems such as generators above areas at risk of being flooded; and create rules that allow the City to make it easier for damaged buildings to be reconstructed in the event of a future disaster. The text amendment is expected to be in public review concurrent with the Proposed Actions.

Area Description and History

Old Howard Beach is located in southern Queens and is generally bounded by the Belt Parkway to the north, the Metropolitan Transit Authority (MTA) A train tracks and the Hamilton Beach neighborhood to the east, Jamaica Bay to the south, and the Cross Bay Boulevard commercial corridor to the west (See Figure 1). Two canals, Shellbank Basin and Hawtree Basin, physically divide Old Howard Beach from adjacent communities and are lined with private docks for recreational boating. Most buildings along Cross Bay Boulevard are one- and two- story non-residential buildings and occupied by either businesses – such as restaurants, grocery stores, and retail stores – or community facilities. The study area consists of all or portions of 93 blocks. The area has approximately 2,455 residents and 2,870 buildings, the majority of which are one- and two- family detached residences (Figure 2).

The history of this community can be traced back to the 1800s when fishermen's shacks were built near Hawtree Creek and Jamaica Bay. The area was established as a year-round community with the introduction of the Long Island Rail Road line to the Rockaway Peninsula further south. William J. Howard developed Howard Beach during the early 1900s between Hawtree and Shellbank Basins by dredging and filling in land, laying out streets, and installing gas and water mains. Sand dredged from the marsh to create Shellbank Basin was dumped to the west, raising the land that today keeps Cross Bay Boulevard from flooding during high tide. Cross Bay Boulevard continued to develop through the 1960s and 1970s until it became the regional commercial corridor it is today, with restaurants, health

[1] *Flood-resistant construction standards are building code standards for buildings located in the 1% annual chance floodplain, and critical facilities located within the 0.2% annual chance floodplain, set forth in Appendix G of the New York City Building Code.*

services, and other small businesses. Old Howard Beach has had sanitary sewers since the 1960s and a partial storm sewer system since the 1970s.

Existing Conditions

A land use survey was conducted for the rezoning area as well as an area within 400 feet of 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 400-foot radius of the rezoning area consists of 1,685 lots covering approximately 272 acres. Approximately 86 percent of these tax lots contain residential buildings. Vacant properties lots make up almost six 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 eight percent of the lots combined. Although only less than one percent of the study area's lots consists of open space and recreation uses, they account for over 15 percent of the land area within the study area.

Within the rezoning area, of the lots with residential buildings, approximately 44 percent are developed with one-family detached residences, approximately 53 percent are developed with two-family detached residences, and approximately one percent are developed with one- or two- family semi-detached residences. Less than one percent are developed with either attached residential or multi-family buildings.

Table A-1: Old Howard Beach Land Use within 400 Feet of Rezoning Area

	Lots	% of total lots*	Area (acres)*	% of land area*
Residential	1450	86.1%	129.2	47.4%
Detached One-Family	743	44.1%	64.7	23.8%
Detached Two-Family	653	38.8%	59.8	22%
Semi-Detached One- and Two-Family	15	0.9%	0.9	0.3%
Attached One- and Two-Family	6	0.4%	0.3	0.1%
Multi-Family Walk-Up and Elevator	33	2%	3.5	1.3%
Mixed Residential and Commercial	30	1.8%	1.4	0.5%
Commercial and Office	38	2.3%	12.8	4.7%
Industrial and Manufacturing	1	0.06%	0.03	0.01%
Transportation and Utility**	19	1.1%	33.3	12.2%
Public Facilities and Institutions	10	0.6%	8.1	3%
Open Space and Recreation	3	0.2%	41.0	15.1%

Parking Facilities	27	1.6%	3.1	1.1%
Vacant	103	6.1%	42.6	15.6%
Other/Miscellaneous***	4	0.2%	0.8	0.3%
Total	**1685**		**272.3**	

* Numbers have been rounded for clarity.

** For the purpose of a more accurate assessment, only the portions of land occupied by John F. Kennedy International Airport (Block 14260, Lot 1) within the 400 ft. boundary have been included in the analysis.

*** Many properties designated "Other" or "Miscellaneous" use are small lots owned by adjacent property owner(s) and used as open space, storage, parking, or water access.

Table A-2: Old Howard Beach Building Type within Rezoning Area (Residential Lots Only)

Building Type	Lots	% of Residential Lots*
Detached One-Family	456	44%
Detached Two-Family	553	53.3%
Semi-Detached One- and Two-Family	14	1.4%
Attached One- and Two-Family	0	0%
Multi-Family Walk-Up and Elevator	14	1.4%
Total	**1037**	

*Numbers have been rounded for clarity.

Existing Zoning

The Old Howard Beach study area is currently zoned R2, R3-1, and R3-2 and with C1-2 and C2-2 commercial overlay districts mapped along portions of Cross Bay Boulevard (Figure 1). These zoning districts have remained largely unchanged since 1961 when the current Zoning Resolution was adopted. Each of these districts is described below.

R2

An R2 district is located in the portion of Old Howard Beach generally bounded by 160th Avenue, Hawtree Basin, 164th Avenue, and 95th Street. The R2 district allows for single-family detached residences with a maximum floor area ratio (FAR) of 0.5. The minimum required lot area is 3,800 square feet, and the minimum lot width is 40 feet. Some community facilities are allowed at a maximum FAR of 0.5. Existing R2 zoning is proposed to remain to reflect built character of the single-family detached residences found within this area.

R3-1

Two areas in Old Howard Beach are zoned R3-1: the first is bounded by 157th Avenue, the A train right-of-way, Hawtree Creek, 160th Avenue, 95th Street, 164th Avenue, Shellbank Basin; and the second is bounded by 164th Avenue, Hawtree Basin, 165th Avenue, and 96th Street. R3-1 is the lowest density district that allows semi-detached one- and two- family residences. Detached residences are also allowed. The maximum FAR is 0.6, which includes a 0.1 FAR 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 eight feet for semi-detached houses. One off-street parking space is required for each dwelling unit. Community facilities are allowed at a maximum FAR of 1.0.

R3-2

Two areas in Old Howard Beach are zoned R3-2: the first is bounded by the Belt Parkway, the A train right-of-way, 157th Avenue, and Cross Bay Boulevard; and the second is bounded by 164th Avenue, Shellbank Basin, 165th Avenue, and a line 100 feet westerly of 95th Street. R3-2 allows all residential building types, including detached, semi-detached, and attached residences, as well as low-rise multifamily 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 18 feet for other residences. Community facilities are allowed at a maximum FAR of 1.0. While the zoning matches the existing built conditions on 95th Street it does not match the neighborhood character in northern Old Howard Beach, which is primarily detached in character.

Commercial Overlays

C1-2 and C2-3 commercial overlays are mapped along Cross Bay Boulevard and in Coleman Square in Old Howard Beach. C1 and C2 overlays are mapped within residential districts to allow a range of local retail and service establishments. 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. In C1-1 and C2-2 overlays, most retail uses require one accessory parking space per 300 square feet of commercial floor space, although the requirements can range between 200 square feet and one space per 800 square feet, depending on the use. For C1-2 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 would limit vulnerability by limiting future density and promote resilient buildings in Old Howard Beach (See Figure 3).

Replace existing R3-1 and R3-2 zoning with R3X.

Existing R3-1 and R3-2 would be replaced by R3X zoning, which reflects the existing residences in terms of lot width and reinforce the one- and two- family detached character in these areas. R3X would prohibit semi-detached one- and two-family homes currently permitted under R3-1 and R3-2 as well as attached multifamily residential buildings permitted under R3-2 zoning. Detached residences have more flexibility to be retrofitted and as may be necessary, raised to the DFE.

Replace existing R3-2 zoning with R3-1.

The existing R3-2 would be replaced by R3-1 zoning to reflect the existing semi-detached character or Huron Street. R3-1 is the lowest density district to allow semi-detached one- and two-family residences, in addition to detached one- and two-family residences. The R3-1 district would not allow attached multifamily construction. This portion of the neighborhood differs from the detached residential character elsewhere in Old Howard Beach. Additionally, Huron Street is partially outside of the 1% annual chance floodplain and is less likely to be flooded than surrounding areas.

D. PROPOSED PROJECT

Proposed R3X (from R3-1 and R3-2)
R3X is proposed for two areas that together comprise forty blocks in Old Howard Beach: the first generally bounded by the Belt parkway, the A Train right-of-way, 160th Avenue, 95th Street, Shellbank Basin, Cross Bay Boulevard, 156th Avenue, and Killarney Street (but excluding Huron Street); and the second generally bounded by 164th Avenue, Hawtree Basin, 165th Street and 96th Street. The predominant built form in this area is detached residences. R3X allows one- or two-family detached residences with a maximum FAR of 0.6, which includes a 0.1 FAR attic allowance. The maximum perimeter wall height is twenty-one feet and the maximum building height is twenty-five feet. The minimum required lot area is 3,325 square feet, and the minimum lot width is thirty-five feet. The front yard of a new residence must be at least as deep as an adjacent front yard, with a minimum depth of ten feet and a maximum depth of twenty feet. One off-street parking space is required for each dwelling unit. Community facilities are permitted at an FAR of 1.0.

Proposed R3-1 (from R3-2)
R3-1 is proposed for Huron Street between the Belt Parkway and 156th Avenue. The predominant built form in this area is semi-detached residences. R3-1 allows semi-detached and detached one- and two-family residences with a maximum FAR of 0.6, which includes a 0.1 FAR attic allowance. The minimum required lot area is 3,800 square feet for detached residences and 1,700 square feet for semi-detached residences. The minimum lot width for a detached house is forty feet, or eighteen feet for other residences. One off-street parking space is required for each dwelling unit. Community facilities are permitted at an FAR of 1.0.

E. ANALYSIS FRAMEWORK

The proposed actions would reduce the density of potential future residential development in the affected Old Howard Beach project area. Therefore, a detailed analysis of this aspect of the proposal is unnecessary because the proposal is not expected to induce development in the rezoning area.

Analysis Framework
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 ten (10) year period (build year 2030). 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 ten (10) years into the future was chosen. While there has been significant construction in Old Howard Beach, this is all related to rebuilding after Hurricane Sandy, and in general the market for new development is limited.

As previously described, the proposed actions would reduce the density of potential future residential development in the Old Howard Beach area. Therefore, a detailed analysis of this aspect of the proposal is unnecessary.

To determine the With-Action and No-Action conditions, standard methods have been used following the *CEQR Technical Manual* guidelines employing reasonable assumptions. These methods 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 3,800 square feet (sf) or larger (may include potential assemblages totaling 3,800 sf, respectively, if assemblage seems probable[2]);
- 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 to incorporate flood mitigation measures.

Certain lots that meet the above 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 on which community institutions, including house-of-worship and library services, are located, as such organizations generally have only a single location in Old Howard Beach and have served the community in their current facilities for decades, and changes in allowed uses are unlikely to induce redevelopment or relocation;
- Highly irregular lots or otherwise encumbered parcels that would make development difficult, including lots constrained by narrow lot dimensions, which often make design and construction of buildings that meet flood-resistant construction requirements cost-prohibitive; and
- Lots occupied by residential uses that could not be further subdivided, where changes in allowed uses are unlikely to induce redevelopment due to comparative market demand.

Based on these criteria, no projected development sites were identified.

[2] *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.*

Future No-Action Scenario

In the No-Action Scenario, provisions from the 2013 Flood Resilience Zoning Text Amendment and the 2015 Special Regulations for Neighborhood Recovery, both adopted to facilitate recovery post-Sandy, are set to expire in the next few years.

While difficult to project with certainty, due to the limited market for new development, based on past trends over twenty years, it is anticipated that in the future, no increases or decreases in development from existing conditions are expected to occur in the next ten years. New development, aside from reconstruction following Hurricane Sandy, is rare in Old Howard Beach. This trajectory of slow redevelopment, coupled with the fact that most lots are already built out to the maximum FAR, indicates there would not be a change in development compared to existing conditions, including residential development.

Future With-Action Scenario

The proposed actions are intended to reinforce the existing residential character and built form in Old Howard Beach. Therefore, the proposed actions would not result in any significant additional development compared to the No-Action scenario.

At the same time as the Old Howard Beach proposal, DCP is also proposing a citywide zoning amendment, Zoning for Coastal Flood Resiliency. This text amendment, which complements the local actions in Old Howard Beach, would introduce permanent provisions to promote resilient construction, future storm recovery, and long-term resiliency. The With-Action Scenario may include both proposals; however, since they are distinct proposals, the With-Action Scenario may also have the Old Howard Beach as sole actions.

As development would still be permitted in the rezoning area, neither the local housing market nor the construction industry would be adversely impacted by the proposed actions.

I. LAND USE, ZONING, AND PUBLIC POLICY

A. INTRODUCTION

Under *CEQR Technical Manual* guidelines, an assessment of zoning is performed in conjunction with a land use analysis when an action would change the zoning on a site or result in the loss of a particular use. Similar to zoning, 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 due to the proposed action by the year 2030.

B. EXISTING CONDITIONS

Land Use

A land use survey was conducted for the rezoning area as well as an area within a 400-foot radius within the 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 with a 400-foot radius of the rezoning area consists of 1,685 lots covering approximately 272 acres. Approximately 86 percent of these tax lots contain residential buildings. Vacant lots make up almost six 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 eight percent of the lots combined. Although only less than one percent of the study area's lots consists of open space and recreation uses, they account for over 15 percent of the land area within the study area.

Within the rezoning area, of the lots with residential buildings, approximately 44 percent are developed with one-family detached residences, approximately 53 percent are developed with two-family detached residences, and approximately one percent are developed with one- or two- family semi-detached residences. Less than one percent are developed with either attached residential or multi-family buildings.

Table B-1: Old Howard Beach Land Use within 400 Feet of Rezoning Area

	Lots	% of total lots*	Area (acres)*	% of land area*
Residential	1450	86.1%	129.2	47.4%
Detached One-Family	743	44.1%	64.7	23.8%
Detached Two-Family	653	38.8%	59.8	22%
Semi-Detached One- and Two-Family	15	0.9%	0.9	0.3%
Attached One- and Two-Family	6	0.4%	0.3	0.1%
Multi-Family Walk-Up and Elevator	33	2%	3.5	1.3%
Mixed Residential and Commercial	30	1.8%	1.4	0.5%
Commercial and Office	38	2.3%	12.8	4.7%
Industrial and Manufacturing	1	0.06%	0.03	0.01%
Transportation and Utility**	19	1.1%	33.3	12.2%
Public Facilities and Institutions	10	0.6%	8.1	3%
Open Space and Recreation	3	0.2%	41.0	15.1%
Parking Facilities	27	1.6%	3.1	1.1%
Vacant	103	6.1%	42.6	15.6%
Other/Miscellaneous***	4	0.2%	0.8	0.3%
Total	**1685**		**272.3**	

* Numbers have been rounded for clarity.

** For the purpose of a more accurate assessment, only the portions of land occupied by John F. Kennedy International Airport (Block 14260, Lot 1) within the 400 ft. boundary have been included in the analysis.

*** Many properties designated "Other" or "Miscellaneous" use are small lots owned by adjacent property owner(s) and used as open space, storage, parking, or water access.

Table B-2: Old Howard Beach Building Type within Rezoning Area (Residential Lots Only)

Building Type	**Lots**	**% of Residential Lots***
Detached One-Family	456	44%
Detached Two-Family	553	53.3%
Semi-Detached One- and Two-Family	14	1.4%
Attached One- and Two-Family	0	0%
Multi-Family Walk-Up and Elevator	14	1.4%
Total	**1037**	

*Numbers have been rounded for clarity.

Zoning

The Old Howard Beach study area is currently zoned R2, R3-1, and R3-2 and with C1-2 and C2-2 commercial overlay districts mapped along portions of Cross Bay Boulevard (Figure 1). These zoning districts have remained largely unchanged since 1961 when the current Zoning Resolution was adopted. Each of these districts is described below.

R2

An R2 district is located in the portion of Old Howard Beach generally bounded by 160th Avenue, Hawtree Basin, 164th Avenue, and 95th Street (Figure 1). The R2 district allows for single-family detached residences with a maximum floor area ratio (FAR) of 0.5. The minimum required lot area is 3,800 square feet, and the minimum lot width is 40 feet. Some community facilities are allowed at a maximum FAR of 0.5. Existing R2 zoning is proposed to remain to reflect built character of the single-family detached residences found within this area.

R3-1

Two areas in Old Howard Beach are zoned R3-1: the first between 157th Avenue, the A train right-of-way, Hawtree Creek, 160th Avenue, 95th Street, 164th Avenue, Shellbank Basin; and the second between 164th Avenue, Hawtree Basin, 165th Avenue, and 96th Street (Figure 1). R3-1 is the lowest density district that allows semi-detached one- and two- family residences. Detached residences are also allowed. The maximum FAR is 0.6, which included 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 eight feet for semi-detached houses. One off-street parking space is required for each dwelling unit. Community facilities are allowed at a maximum FAR of 1.0.

R3-2

Two areas in Old Howard Beach are zoned R3-2: the first between Belt Parkway, the A train right-of-way, 157th Avenue, and Cross Bay Boulevard; and also on one block on 95th Street between 164th Avenue and 165th Avenue (Figure 1). R3-2 allows all residential building types, including detached, semi-detached, and attached residences, as well as low-rise multifamily 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 18 feet for other residences. Community facilities are allowed at a maximum FAR of 1.0. While the zoning matches the existing built conditions on 95th Street it does not match the neighborhood character in northern Old Howard Beach, which is primarily detached in character.

Commercial Overlays

C1-2 and C2-3 commercial overlays are mapped along Cross Bay Boulevard and in Coleman Square in Old Howard Beach (Figure 1). C1 and C2 overlays are mapped within residential districts to allow a range of local retail and service establishments. 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. In C1-1 and C2-2 overlays, most retail uses require one accessory parking space per 300 square feet of commercial floor space, although the requirements can range between 200 square feet and one space per 800 square feet, depending on the use. For C1-2 overlays, if the number of spaces required is less than 15, the parking requirements are waived.

Public Policy

The proposed actions to replace current zoning with districts that allow for less density and better reflect existing building character in Old Howard Beach support the City's resilience goals to reduce long-term vulnerability and manage growth in vulnerable areas. There are a number of City policies and programs aimed at improving the resiliency and sustainability citywide and in the Old Howard Beach rezoning area. However, based on development trends and the overall vulnerability to flooding the area faces, these investments are not expected to result in additional residential or commercial development.

Zoning for Coastal Flood Resiliency

Also, currently in effect in Old Howard Beach and throughout the city are the 2013 Flood Resilience Zoning Text Amendment and the 2015 Special Regulations for Neighborhood Recovery. These temporary zoning amendments were implemented after Hurricane Sandy to facilitate recovery efforts and flood resistant construction. The 2013 Flood Text will expire within one year of the adoption of FEMA's new Flood Insurance Rate Maps, and the 2015 Flood Text will expire in 2020.

To continue to allow building resiliency improvements and future storm recovery, DCP proposes a citywide, permanent zoning text amendment, Zoning for Coastal Flood Resiliency. This proposal, though distinct from the Old Howard Beach Resiliency Zoning Amendment, is being put forth at the same time as this local action. More details on Zoning for Coastal Flood Resiliency can be found in Attachment A.

OneNYC

In 2013, after Hurricane Sandy, the City released *PlaNYC: A Stronger, More Resilient New York (PlaNYC)*, which documented the lessons learned from Sandy, developed a strategy for the city to build back, and developed recommendations to adapt to the projected impacts of climate change. *One New York: The Plan for a Strong and Just City (OneNYC)*, which builds upon the sustainability goals established by *PlaNYC* and focuses on growth, equity, sustainability, and resiliency, was released in 2015 by the Mayor's Office of Sustainability and the Mayor's Office of Recovery and Resiliency. Resiliency initiatives outlined in *OneNYC* that relate to the study area include resiliency goals outlined in the report related to the study area include supporting the U.S. Army Corps of Engineers' (USACE) evaluation of a comprehensive coastal protection strategy for Jamaica Bay including a Rockaway Inlet storm surge barrier and facilitating DCP's Resilient Neighborhoods Study. The USACE study has produced initial recommendations for Rockaway Inlet storm surge barrier location options which are being further evaluated as part of the ongoing New York-New Jersey Harbor and Tributaries Coastal Storm Risk Management Feasibility Study in partnership with the Mayor's Office of Resiliency. Any proposed actions resulting from the USACE study are not expected to be implemented before the Build Year for this analysis. The Resilient Neighborhoods study for Old Howard Beach, Hamilton Beach, and Broad Channel, also outlined in *PlaNYC* and in *OneNYC*, was completed in May 2017 and resulted in

recommendations for the rezoning proposed herein and to improve the proposed citywide Zoning for Coastal Flood Resiliency.

Waterfront Revitalization Program

The Waterfront Revitalization Program (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 Gerritsen Beach rezoning area is entirely within the Coastal Zone (Figure 4). The WRP contains ten 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.

C. 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. The area is not anticipated to see additional development in the next ten years based on the limited market for new development and trends. New development, aside from reconstruction following Hurricane Sandy, is rare, especially in the commercial areas. This trajectory of slow development, coupled with the fact that most lots are already built out to the maximum FAR, indicates there would not be a change in development compared to existing conditions. In the residential portions of the study area, development is expected to continue following a pattern similar to that established over the past ten years, including the replacement of one- and two-family detached buildings with flood-resistant construction and the maintenance of vacant residential lots as yards or storage areas by adjacent homeowners.

Zoning

In the No-Action Scenario, provisions from the 2013 Flood Resilience Zoning Text Amendment and the 2015 Special Regulations for Neighborhood Recovery, both adopted to facilitate recovery post-Sandy, are set to expire in the next few years. It is also assumed that in the No-Action Scenario, Old Howard Beach would not be subject to any neighborhood-specific zoning changes. 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.

D. FUTURE WITH-ACTION

Land Use
The proposed actions are intended to reinforce the existing residential character and built form in Old Howard Beach. Therefore, the proposed actions would not result in any significant additional development compared to the No-Action scenario.

The decrease in allowable density would not result in substantial changes in land use in the study area, where the majority of existing homes are single- and two-family buildings and many lots that appear vacant are unlikely to be developed because they are owned by an adjacent property owner and used as private open space, storage, parking or water access. In the Future With-Action condition, existing land use patterns in residential areas would be reinforced by the proposed zoning. Further, in Old Howard Beach, which faces future daily tidal flooding from sea level rise, the proposed zoning would ensure that future development does not substantially increase the population and property at risk.

Zoning
The proposed actions would affect more than 2037 lots across approximately 48 tax blocks. The rezoning area covers portions of Zoning Map 18b. Amendments to the Zoning Map would reflect existing built form, reduce vulnerability by limiting future density and, complemented by the proposed citywide zoning amendment, ZCFR, promote resilient buildings.

Proposed R3X (from R3-1 and R3-2)
R3X is proposed for two areas that together comprise forty blocks in Old Howard Beach: the first generally bounded by the Belt parkway, the A Train right-of-way, 160th Avenue, 95th Street, Shellbank Basin, Cross Bay Boulevard, 156th Avenue, and Killarney Street (but excluding Huron Street); and the second generally bounded by 164th Avenue, Hawtree Basin, 165th Street and 96th Street (Figure 3). The predominant built form in this area is detached residences. R3X allows one- or two-family detached residences with a maximum FAR of 0.6, which includes a 0.1 FAR attic allowance. The maximum perimeter wall height is twenty-one feet and the maximum building height is twenty-five feet. The minimum required lot area is 3,325 square feet, and the minimum lot width is thirty-five feet. The front yard of a new residence must be at least as deep as an adjacent front yard, with a minimum depth of ten feet and a maximum depth of twenty feet. One off-street parking space is required for each dwelling unit. Community facilities are permitted at an FAR of 1.0.

Proposed R3-1 (from R3-2)
R3-1 is proposed for Huron Street between the Belt Parkway and 156th Avenue (Figure 3). The predominant built form in this area is semi-detached residences. R3-1 allows semi-detached and detached one- and two-family residences with a maximum FAR of 0.6, which includes a 0.1 FAR attic allowance. The minimum required lot area is 3,800 square feet for detached residences and 1,700

square feet for semi-detached residences. The minimum lot width for a detached house is forty feet, or eighteen feet for other residences. One off-street parking space is required for each dwelling unit. Community facilities are permitted at an FAR of 1.0.

Zoning for Coastal Flood Resiliency

At the same time as the Old Howard Beach proposal, DCP is also proposing a citywide zoning amendment, Zoning for Coastal Flood Resiliency. This text amendment, which complements the local actions in Old Howard Beach, would introduce permanent provisions to promote resilient construction, future storm recovery, and long-term resiliency. The With-Action Scenario may include both proposals; however, since they are distinct proposals, the With-Action Scenario may also have the Old Howard Beach actions alone.

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 Old Howard Beach, impacted by Sandy across the city provided the basis for 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

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 Waterfront Revitalization Program (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 A) 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 future development to detached houses and one to

two-family semi-detached residences along a portion of Huron Street. 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 above, the future With-Action scenario is not expected to result in a change in square footage of commercial space, while it is expected to facilitate a net reduction of 28 potential additional residential units on the neighborhood's 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 Old Howard Beach rezoning area has limited options for infrastructure improvements that would reduce vulnerability to future tidal flooding (Figure 6). The neighborhood is low-lying and accessible by only one road, 102nd Street, and only one street, 164th Drive, is served by a storm sewer. 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 are currently no planned projects to elevate the streets or construct shoreline and street-end bulkheads. 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 Old Howard Beach 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 300 buildings and nearly two 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 Old Howard Beach Resiliency Rezoning will signal flood risk to current and future residents and amend underlying zoning to limit future development to detached houses and one and two family semi-detached residences on a portion of Huron Street. Therefore, the project promotes Policy 1.5.

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, Shellbank Basin and Hawtree Basin waterbodies, 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, Shellbank and Hawtree Basin waterbodies, 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 4.4: Identify, remediate and restore ecological functions within Recognized Ecological Communities.
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, Shellbank Basin and Hawtree Basin waterbodies, 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 4.4.

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 Department of Environmental Conservation to ensure the preservation and protection of existing tidal wetlands in the area. There will be no specific adverse impacts to the ecological systems. Therefore, 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 proposed Old Howard Beach 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 majority of the rezoning area is within the 1% annual chance floodplain as shown on the 2015 FEMA Preliminary Flood Insurance Rate Map (Figure 5). In addition, daily tidal flooding is expected to affect significant portions of the neighborhood in the next twenty-five to fifty years. The proposed rezoning for Old Howard Beach will signal flood risk to current and future residents and amend underlying zoning to limit future development density. The proposed action will 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 proposed Old Howard Beach 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 majority of the 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 a small portion closest to the bay at 11 feet NAVD88. 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 eight 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 300 buildings and nearly two miles of streets could be flooded under this projection."

The study recommendations, shaped by these sea level rise projections, including a rezoning to limit future growth. The proposed Old Howard Beach Rezoning will signal flood risk to current and future residents and amend underlying zoning to limit future development to detached houses and one and two family semi-detached residences on a portion of Huron Street. 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 residential units.

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 and business, 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.

As described above and in detail in Attachment A, no new development is projected to result from the proposed actions. Rather, the proposed actions are intended to reinforce the existing residential character and built form in Old Howard Beach and would limit, and would not increase, allowable density of future development. Consequently, no adverse impacts are expected and further analysis is not necessary.

II. 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 described above and in detail in Attachment A, no new development is projected to result from the proposed actions. Rather, the proposed actions are intended to reinforce the existing residential

character and built form in Old Howard Beach and would limit, and would not increase, allowable density of future development. Consequently, no adverse impacts are expected and detailed analyses are not warranted.

III. NATURAL RESOURCES

A natural resource is defined as (1) the City's biodiversity (plants, wildlife, and other organisms); (2) any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and (3) any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability. Per CEQR guidelines, if the following statements are true for a given project, then no natural resources assessment is necessary:

- The site of the project and the immediately adjacent area are substantially devoid of natural resources.
- The project site contains no "built resource" that is known to contain or may be used as a habitat by a protected species as defined in the Federal Endangered Species Act (50 CFR 17) or the State's Environmental Conservation Law (6 NYCRR Parts 182 and 193).
- The project site contains no subsurface conditions, the disruption of which might affect the function or value of an adjacent or nearby natural resource.

As discussed above, the proposed actions alter allowed uses. As described in Attachment A, a soft site analysis for where new development could be reasonably expected to occur as a result of the proposed changes in Old Howard Beach showed that none of the affected sites are likely to be redeveloped. Additionally, the proposed rezoning to R3-1 and R3X would reduce the density of potential future residential development in the Old Howard Beach area, and would not induce new development.

Natural resources such as open waterbodies, piers and other waterfront structures are found in the project area, and others such as grasslands are found in surrounding areas like Charles Memorial Park, but the project will not induce development in these areas. Further, the project would serve to protect these natural resources as the proposed actions would limit the allowable density in the area. Based on this information, the proposed project is not anticipated to have adverse impacts on natural resources and no further analysis is required.

The project area is within the Jamaica Bay Watershed, which required its own analysis through the Jamaica Bay Watershed Protection Plan Project Tracking Form (Appendix B). The proposed project is not anticipated to have adverse impacts on the Jamaica Bay Watershed and no further analysis is required.

IV. OTHER ANALYSIS CATEGORIES

The proposed action is not anticipated to result in any specific development sites. Rather, the proposed action will limit the density of future development by restricting new residential development to single- and two-family homes, with two-family houses only allowed on lots larger than 3,000 square feet, and

reinforce existing neighborhood character and current building patterns by replacing current zoning with more contextual building envelopes.

Given the absence of anticipated site-specific development, and because this project is intended to prevent an increase in density over time, no impacts are anticipated with respect to: socioeconomic conditions, community facilities, open space, shadows, historic and cultural resources, urban design and visual resources, hazardous materials, water and sewer infrastructure, solid waste and sanitation services, energy, transportation, air quality, greenhouse gas emissions, noise, public health, neighborhood character, or construction impacts, and no further analysis in these categories is required.

Figure 1: Old Howard Beach Existing Zoning

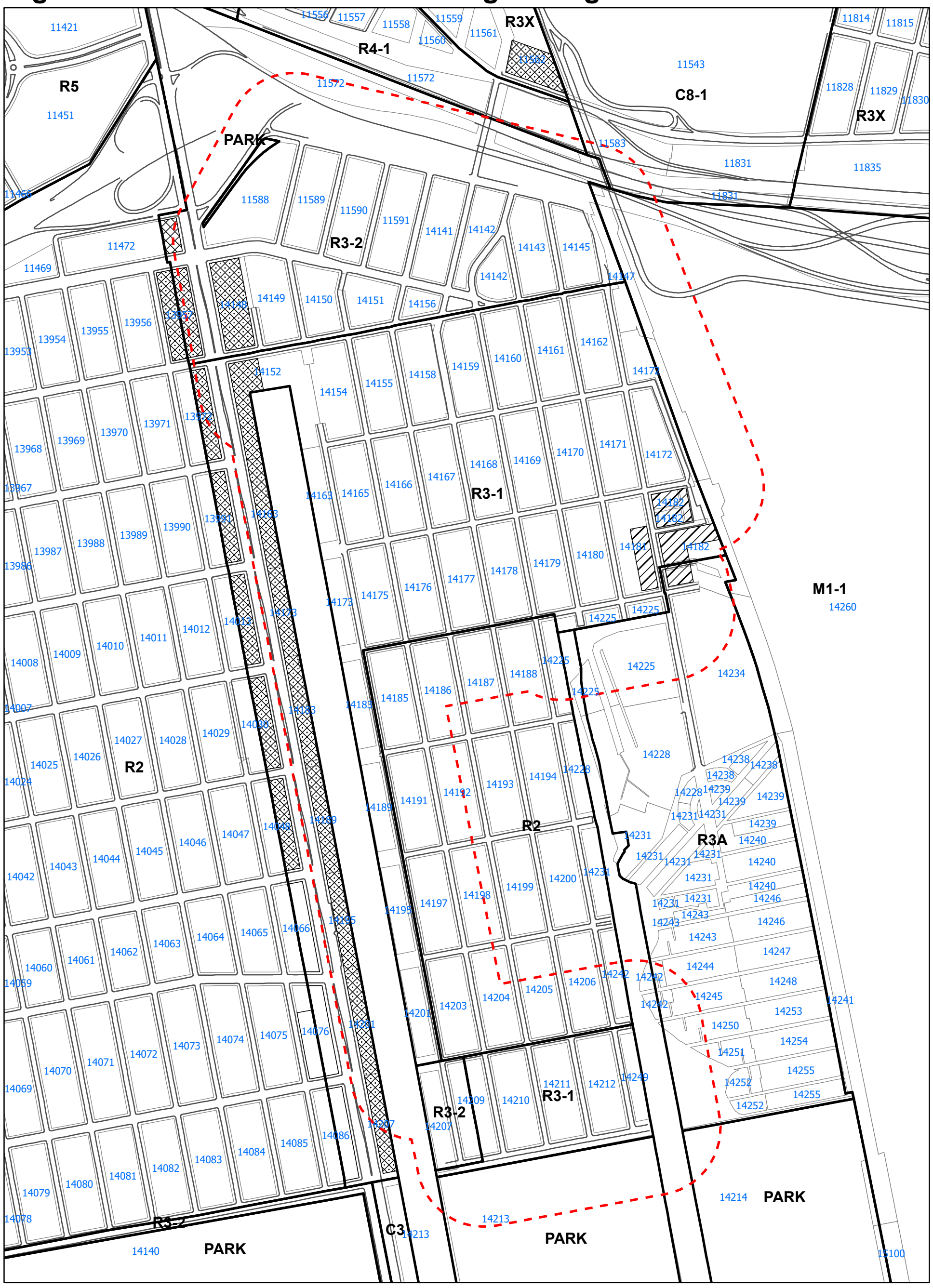
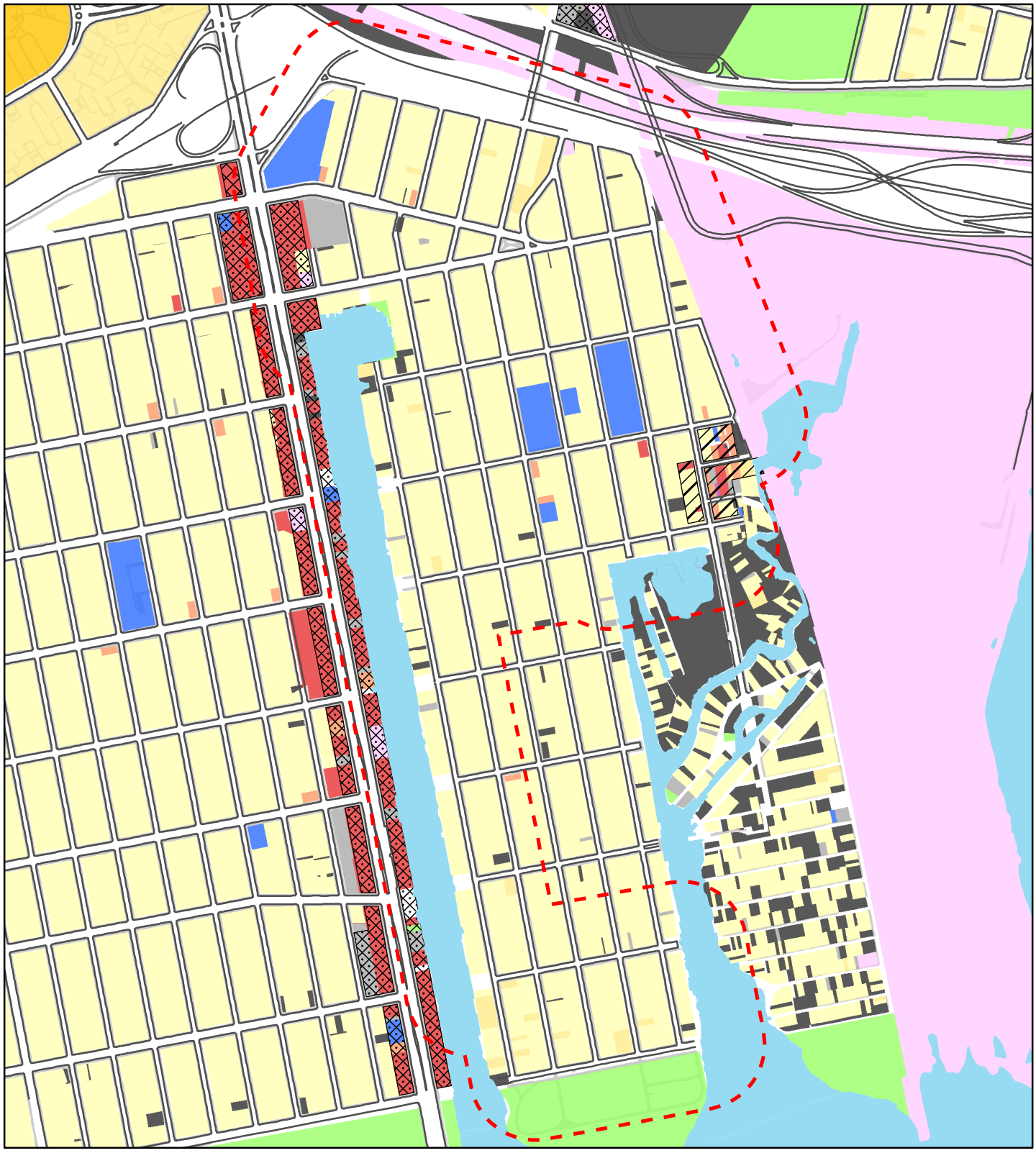


Figure 2: Old Howard Beach Existing Land Uses



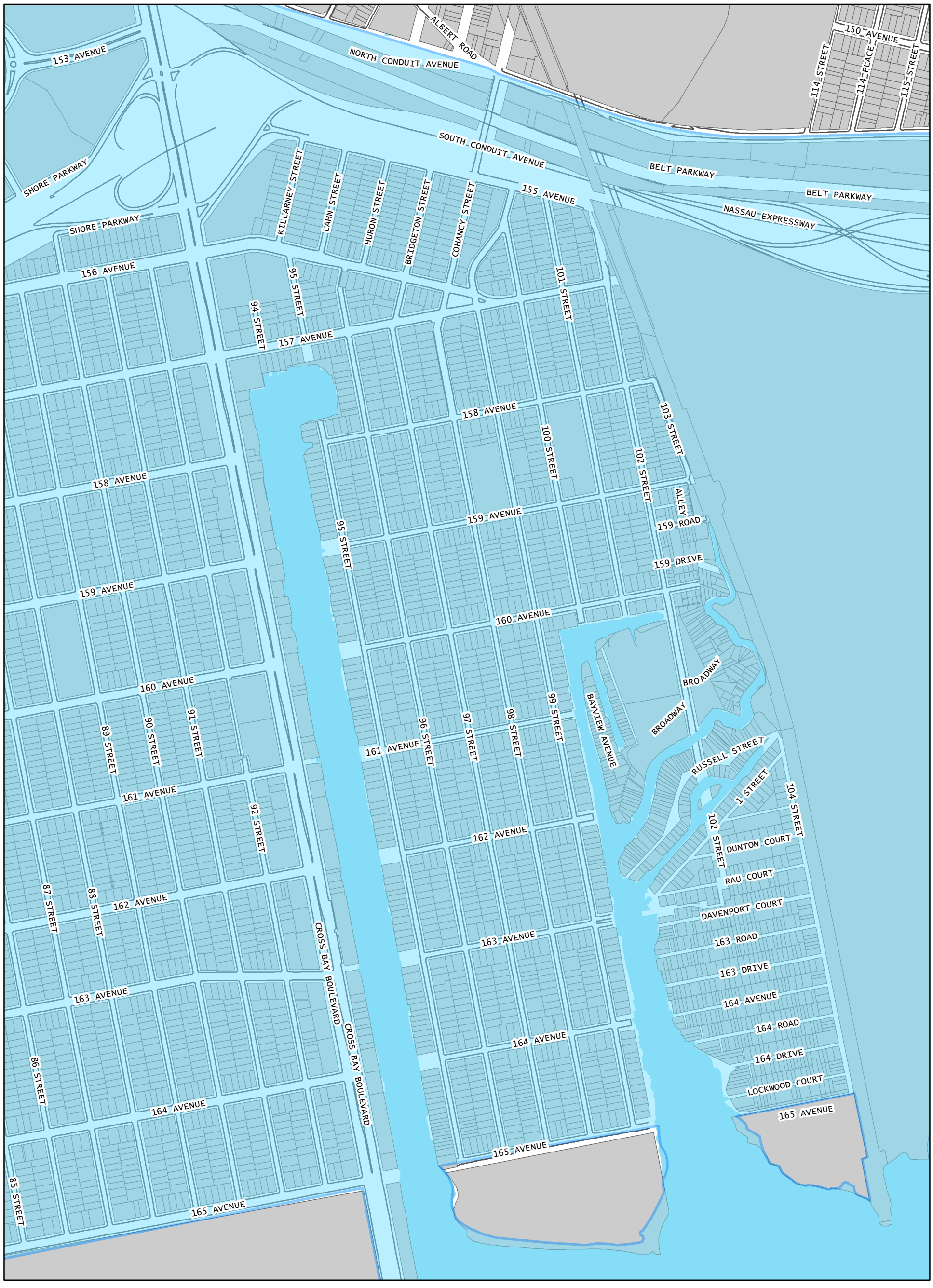
400ft Buffer
01- One & Two Family Buildings
02- MultiFamily Walkup Buildings
03- MultiFamily Elevator Buildings
04- Mixed Commercial/Residential Buildings
05- Commercial/Office Buildings
06- Industrial/Manufacturing
07- Transportation/Utility
08- Public Facilities & Institutions
09- Open Space
10- Parking Facilities
11- Vacant Land

0 0.05 0.1 0.2 Miles

Figure 3: Old Howard Beach: Zoning Change Map



Figure 4: Old Howard Beach Coastal Zone Boundary



Coastal Zone Boundary

Figure 5: PFIRM Flood Zones



Extent of flooding based on 2015 FEMA Preliminary Flood Insurance Rate Maps

PFIRM Flood Zones

- V Zone
- Coastal A Zone
- A Zone
- Shaded X Zone
- Subject to Wave Risk (LiMWA)

Figure 6: Future Extent of Daily Tidal Flooding



Extent of future daily tidal flooding based on sea level rise projections for 2050

FOR INTERNAL USE ONLY	WRP No. _____
Date Received: _____	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: 718-520-2100 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 that will affect all or portions of 48 tax blocks in Old Howard Beach, Queens, in Community District 10. The Old Howard Beach rezoning area is comprised of two areas: the first generally bounded by the Belt Parkway, the elevated A Train right-of-way, 160th Avenue, 95th Street, Shellbank Basin, 156th Avenue, and Killarney Street (excluding Huron Street); and the second bounded by 164th Avenue, Hawtree Basin, 165th Avenue, and 96th Street.

1. Replace existing R3-1 zoning with R3X zoning to reinforce detached single family residential character and current building patterns.

2. Replace existing R3-2 zoning with R3-1 zoning to reinforce neighborhood character and current building patterns.

2. Purpose of activity

Old Howard Beach 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. Old Howard Beach was studied, in part, because it is among the most vulnerable neighborhoods to flooding in the city. Old Howard Beach 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 objective to reinforce neighborhood character and established building patterns by replacing existing zoning with new lower-density contextual zones.

C. PROJECT LOCATION

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

Street Address: _____

Name of water body (if located on the waterfront): Jamaica Bay, Shellbank Basin, Hawtree Basin

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 Maritime 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, Queens

Telephone: 718-520-2100 Email: jyoung@planning.nyc.gov

Applicant/Agent's Signature: 

Date: 10/16/20

Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the NYS Department of State Office of Planning and Development and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

New York City Department of City Planning
Waterfront and Open Space Division
120 Broadway, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

New York State Department of State
Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

Applicant Checklist

- ☐ Copy of original signed NYC Consistency Assessment Form
- ☐ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☐ Environmental Review documents
- ☐ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- ☐ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp