LR 3 Project Description
Old Howard Beach Resiliency Rezoning
September 16, 2020

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: 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.

Old Howard Beach was studied as part of DCP's Resilient Neighborhoods, a place-based planning initiative that was launched to identify local strategies to support the vitality and resiliency of neighborhoods within the city's floodplain. 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.

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 overlay along Cross Bay Boulevard, a commercial corridor located west of Shellbank Basin. 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 small or 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 sees 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 semi-detached 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 the block along Huron Street which differs from the detached building elsewhere in Old Howard Beach.

BACKGROUND

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

Following Sandy, DCP advanced a temporary, emergency citywide text amendment 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 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 Old Howard 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. 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 occupied by businesses – such as restaurants, grocery stores, and retail stores – or community facilities. The study area, defined by a 400 foot radius of the rezoning 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.

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 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 LAND USE

A land use survey was conducted for the rezoning area as well as an area within 600 feet of each rezoning area. Tables A-1 and A-2 show the proportion of tax lots based on the land uses within this surveyed area.

[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.*

The surveyed area consists of 2,021 lots covering approximately 5,240 acres. Approximately 82 percent of these tax lots contain residential buildings. Vacant properties lots make up almost eight 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 ten 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 25 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 600 Feet of Rezoning Area

	Lots	% of total lots*	Area (acres)*	% of land area*
Residential	1,658	82.0%	145.8	47%
Detached One-Family	921	45.6%	79.6	25.7%
Detached Two-Family	683	33.8%	62.6	20.2%
Semi-Detached One- and Two-Family	16	0.8%	1.7	0.5%
Attached One- and Two-Family	6	0.3%	0.3	0.1%
Multi-Family Walk-Up and Elevator	32	1.6%	2.8	0.9%
Mixed Residential and Commercial	33	1.6%	1.9	0.6%
Commercial and Office	67	3.3%	21.7	7%
Industrial and Manufacturing	1	0.05%	0.04	0.01%
Transportation and Utility**	27	1.3%	1.9	0.6%
Public Facilities and Institutions	12	0.6%	8.7	2.8%
Open Space and Recreation	7	0.3%	75.3	24.3%
Parking Facilities	48	2.4%	5.1	1.6%
Vacant	164	8.1%	49.3	15.9%
Other/Miscellaneous***	4	0.2%	0.8	0.3%
Total	**2,021**		**310.3**	

* 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 600 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. 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. Within the area the R2 matches the existing built character of the single-family detached residences.

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. The maximum perimeter wall height and building height are 21 feet and 35 feet, respectively. 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.

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 for 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.

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.

Zoning Map amendment replacing existing 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.

> Existing R3-1 and R3-2 zoning 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 limit residential development to one- and two-family residences and 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. Additionally, by restricting construction to detached residences every lot would be required to provide two side yards thus allowing for less impervious cover.

Zoning Map amendment replacing existing 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 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, in addition to detached one- and two-family, residences. The R3-1 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.

PROPOSED ZONING

Proposed R3X (from R3-1 and R3-2)
R3X is proposed for two areas that together comprise 40 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 21 feet and the maximum building height is 35 feet. The minimum required lot area is 3,325 square feet, and the minimum lot width is 35 feet. The front yard of a new residence must be at least as deep as an adjacent front yard, with a minimum depth of 10 feet and a maximum depth of 20 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 40 feet, or 18 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.

CONCLUSION

The Department of City Planning has been working with a Community Advisory Committee and residents of Old Howard Beach to develop a rezoning proposal that reflects the exceptional risk to flooding as well as the neighborhood context. The proposal, in summary, includes:

- 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 the block along Huron Street which differs from the detached building elsewhere in Old Howard Beach.

DCP will advance these proposed actions in Old Howard Beach to prevent a substantial increase in population in this vulnerable neighborhood and will continue to pursue other changes as part of a citywide zoning update to zoning to address other challenges that may make retrofitting and reconstructing buildings in the city's floodplain more difficult.