ENVIRONMENTAL ASSESSMENT STATEMENT

RESILIENT NEIGHBORHOODS: GERRITSEN BEACH

Borough of Brooklyn

Lead Agency:

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

CEQR No. 21DCP051K

October 16, 2020

Prepared for:

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

Prepared by:

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

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

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

Part I: GENERAL INFORMATION

PROJECT NAME Resilient Neighborhoods: Gerritsen Beach

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
21DCP051K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
210130 ZMK, N210131 ZRK	

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			Winston R. von Engel, Director, Brooklyn Borough Office		
ADDRESS 120 Broadway, 30th Floor			ADDRESS 16 Court Street, 7th Floor		
CITY New York	STATE NY	ZIP 10271	CITY Brooklyn	STATE NY	ZIP 11241
TELEPHONE 212-720-3493	EMAIL OABINAD@planning.nyc.gov		TELEPHONE 718-780-8280	EMAIL wvoneng@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 (C3, R4, C1-2, C2-2 to C3A, R4-1, C2-3) and a text amendment to the Zoning Resolution (137-00) that will affect all or portions of 20 tax blocks in Gerritsen Beach, Brooklyn Community District 15, to ensure flood resiliency of future development in an area vulnerable to flood risk.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 15	STREET ADDRESS
TAX BLOCK(S) AND LOT(S) See attached		ZIP CODE 11229

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Gerritsen Avenue, Allen Avenue, Plumb Beach Channel, Shell Bank Creek

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R4, C3, C1-2, C2-2	ZONING SECTIONAL MAP NUMBER 29a

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.): 7,683,572

Waterbody area (sq. ft.) and type: 543,151 (Shell Creek, Plumb Beach Channel)

Roads, buildings, and other paved surfaces (sq. ft.): 5,781,118

Other, describe (sq. ft.): 1,359,302 (vegetation and bare soil)

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: N/A

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☐ YES ☒ NO

If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length)

VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2030

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS:

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:

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. See Appendix N: Any future discretionary actions that may result from this zoning action would reach out to LPC on a case-by-case basis.		
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	☐	☐

	YES	NO
commercial space in the Bronx, Brooklyn, Staten Island, or Queens?		
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☐
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
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?	☐	☐

	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:		
o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
o Closure of a community facility or disruption in its services?	☐	☒
o Activities within 400 feet of a historic or cultural resource?	☐	☒
o Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
o 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
Winston R. von Engel	Winston R von Engel	Jan 17, 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 Department of City Planning (DCP) proposes an amendment to the Zoning Map and a text amendment to the Zoning Resolution that will affect all or portions of 20 tax blocks in Gerritsen Beach, Brooklyn, Community District 15. To reduce flood risks and plan for adaptation over time, DCP seeks to update applicable zoning code in this neighborhood to limit future development and to signal flood risk. The amendment aims to improve resiliency by rezoning from R4,C3, and C1-2/C2-2 commercial overlays to R4-1, C3A, and C2-3 commercial overlays, and by creating a new Special Coastal Risk District.1The Gerritsen Beach rezoning area is generally bounded by Gerritsen Avenue and Marine Park to the northeast, Allen Avenue to the northwest, Plumb Beach Channel to the southwest, and Shell Bank Creek to the south and south east. It is a predominantly residential area comprised mostly of single-family detached homes mixed with some semi-detached and attached two-and three-story residential buildings, and single-story commercial buildings. 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 Director, Environmental Assessment and Review Division	LEAD AGENCY 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	

Resilient Neighborhoods: Gerritsen Beach

Environmental Assessment Statement
October 16, 2020

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I. PROJECT DESCRIPTION

A. INTRODUCTION

The New York City Department of City Planning (DCP) proposes an amendment to the Zoning Map and a text amendment to the Zoning Resolution that will affect all or portions of 20 tax blocks in Gerritsen Beach, Brooklyn, Community District 15. To reduce flood risks and plan for adaptation over time, DCP seeks to update applicable zoning code in this neighborhood to limit future development and to signal flood risk. The amendment aims to improve resiliency by rezoning from R4, C3, and C1-2/C2-2 commercial overlays to R4-1, C3A, and C2-3 commercial overlays, and by creating a new Special Coastal Risk District.[1] The Gerritsen Beach rezoning area is generally bounded by Gerritsen Avenue and Marine Park to the northeast, Allen Avenue to the northwest, Plumb Beach Channel to the southwest, and Shell Bank Creek to the south and south east. It is a predominantly residential area comprised mostly of single-family detached homes mixed with some semi-detached and attached two- and three-story residential buildings, and single-story commercial buildings (see Appendices B, C, and D for project area, land use, and zoning maps).

Simultaneously, DCP also proposes a permanent, citywide text amendment, Zoning for Coastal Flood Resiliency (ZCFR) (CEQR No. 19DCP192Y). ZCFR's four main objectives are 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. This amendment is also intended to update the 2013 and 2015 flood text provisions that were adopted temporarily to aid in Sandy recovery, while making selected provisions permanent. The proposed actions in Gerritsen Beach complement ZCFR, and the proposals are intended to work in conjunction, not for one to supersede the other. However, they are two separate actions that will undergo the Uniform Land Use Review Procedure (ULURP) separately, and they can both function separately.

Gerritsen 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. Gerritsen Beach was studied, in part, because it is among the most vulnerable neighborhoods in the city to flooding. Gerritsen Beach faces flood hazards from storm surges generated from large storm events like Hurricane Sandy, and conditions of tidal flooding are likely to become more severe over time with projected sea level rise. Additionally, constrained street and drainage infrastructure exacerbate the risk and impacts of flooding in Gerritsen Beach.

The proposed actions, described below, would reduce allowed residential density to limit the potential for growth in an area vulnerable to flood risk. They would also mandate a new zoning envelope introduced by the citywide text amendment for new and redeveloped properties to better reflect the scale and design of existing buildings. Finally, the proposed changes would right-size commercial areas on Gerritsen Avenue and on the neighborhood's waterfront to ensure that existing properties can be reconstructed to meet resiliency standards without being hindered by zoning rules, future commercial

[1] Currently, Special Coastal Risk Districts exist in Broad Channel and Hamilton Beach, Queens (CEQR Nos. 17DCP114Q and 17DCP15Q), and East Shore, Staten Island (CEQR 17DCP150R).

uses are appropriately located outside of residential blockfronts, and that a wider options of commercial uses help support the Gerritsen residential community.

Today, Gerritsen Beach is primarily zoned R4 across most of its residential portions, C3 on all or portions of some blocks along Plumb Beach Channel, and R4 with C1-2 and C2-2 commercial overlays on some blocks fronting Gerritsen Avenue, the neighborhood's only commercial corridor (see Appendix C, Zoning Map). These zoning districts do not reflect the current building pattern, which is predominately detached residential buildings on small or shallow lots. Further, they do not reflect 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 15, the Gerritsen Beach Property Owners Association and Gerritsen Beach Cares, and local elected officials.

The proposed rezoning and text amendment seek to achieve the following objectives:

- Ensure flood-resistant residential development reflects neighborhood scale by updating the building envelope and the existing Residence District to better match the current built context.
- Limit the density of future development, and rationalize the limits of the maritime commercial district to limit certain uses in the higher-risk waterfront area.
- Ensure the Commercial Overlay mapped along the commercial corridor reflects the existing development and allows for access to goods and services needed in the neighborhood.

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

- Establish a Special Coastal Risk District in Gerritsen Beach, under the 137-00 Special Coastal Risk District text.
- Replace R4 zoning with R4-1 zoning.
- Replace C3 zoning with C3A zoning. Blocks currently zoned C3 and not directly abutting the water would be rezoned to R4-1 to reflect their existing character.
- Update Gerritsen Avenue commercial block overlays from C1-2 and C2-2 to C2-3 and reduce the commercial overlay from a full block depth to a half block depth, fronting only Gerritsen Avenue.

B. BACKGROUND AND EXISTING CONDITIONS

According to projections by the New York Panel on Climate Change (NPCC), 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 citywide text amendment on an emergency basis to facilitate the rebuilding process 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. On a regular basis, DCP also worked closely with other agencies, including the Housing Recovery Office and Mayor's Office of 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 to also ensure that development is responsive to neighborhood character and aligns with the need for long-term adaptation.

Based on this work, zoning recommendations that are specific to unique neighborhood conditions and risks were suggested. In Gerritsen Beach, which has some areas at risk of future daily tidal flooding from sea level rise, zoning could ensure that future development does not substantially increase the population in this vulnerable area.

Area Description and History

Gerritsen Beach is a maritime community in Southern Brooklyn nestled on a low-lying area along Plumb Beach Channel with houses set close together on shallow lots and narrow streets. Over 5,000 residents live on the Gerritsen Beach peninsula south of Allen Avenue. The neighborhood shares the peninsula with part of Marine Park, Brooklyn's largest park by acreage with extensive recreational spaces and natural land.

The neighborhood was first inhabited in the early 17th century by a Dutch settler who built a house and a mill along Gerritsen Creek, now in Marine Park. Like much of the land along Jamaica Bay, Gerritsen Beach was mostly marshland prior to development. The Gerritsen Beach area remained largely undeveloped until the early 20th century when Realty Associates, a real estate builder, developed a summer resort of one-story wooden bungalows at the southern end of the peninsula. The development gained popularity, and by the 1930s the rest of the peninsula was occupied with summer bungalows built close to each other on small lots with no yards. Over time, the seasonal buildings were converted to year-round two-story residences. In 1961, the area was zoned C3 and R3-2, with C1-2 and C2-2 commercial overlays on several blocks between Gerritsen Avenue. The R3-2 district was rezoned to R4 in 1964.

Existing Conditions

Today, Gerritsen Beach is a residential neighborhood predominantly characterized by single-family detached homes, with some semi-detached and attached two- to three-story buildings in the northern portion of the neighborhood and one-story commercial buildings along Gerritsen Avenue, the community's only commercial corridor. Lying to the west of the neighborhood, Plumb Beach Channel is used for recreational boating and fishing, and to the south residents have boats docked along Shell Bank Creek as well as the inner canal.

A land use survey was conducted for the rezoning area and a 600-foot radius surrounding the rezoning area (see Appendix D, Area Map). The table below shows the proportion of tax lots based on the land uses within this surveyed area.

The rezoning area consists of 2,052 lots covering approximately 111 acres, with an additional 524 lots and 187 acres in the 600-foot buffer radius. Approximately 77 percent of these tax lots contain residential buildings. Of the residential buildings, the majority are developed with one-family detached homes. While over 16 percent of properties in the Gerritsen Beach rezoning area are currently designated "vacant" or "other/miscellaneous," it is important to note that many of these sites are small lots owned or used by one or more adjacent properties owner as open space, storage, parking or water access. 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.

Table A-1: Gerritsen Beach Land Use within 600 Feet of Rezoning Area

	Lots	% of total lots*	Area (acres)*	% of land area*
Residential	2,003	78.3%	99.4	33.8%
Detached One-Family	1,296	50.6%	66.7	22.7%
Detached Two-Family	146	5.7%	8.8	3.0%
Semi-Detached One- and Two-Family	333	13.0%	13.7	4.7%
Attached One- and Two-Family	218	8.5%	9.5	3.2%
Multi-Family Walk-Up and Elevator	10	0.4%	0.6	0.2%
Mixed Residential and Commercial	6	0.2%	0.3	0.1%
Commercial and Office	50	2.0%	9.8	3.3%
Industrial and Manufacturing	3	0.1%	3.2	1.1%
Transportation and Utility	8	0.3%	27.6	9.4%
Public Facilities and Institutions	12	0.5%	3.5	1.2%
Open Space and Recreation	25	1.0%	114.7	39.0%
Parking Facilities	92	3.6%	5.1	1.7%
Vacant**	295	11.5%	22.4	7.6%
Other/Miscellaneous**	65	2.5%	8.3	2.8%
Total	**2,559**	**100.0%**	**294.1**	**100.0%**

* Numbers have been rounded for clarity.

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

Existing Zoning

The Gerritsen Beach study area is currently zoned R4 and C3 with C1-2 and C2-2 commercial overlay districts mapped along portions of Gerritsen Avenue (see Appendix B, Zoning Map). These zoning districts have remained largely unchanged since the 1960s. Each of these districts is described below.

R4

The majority of Gerritsen Beach is zoned as an R4 lower-density residential district. R4 allows for a variety of building types including single- and two-family homes and multi-family buildings that could be detached, semi-detached and attached structures. Residential buildings are allowed at a maximum floor area ratio (FAR) of 0.75, plus an attic allowance of up to 20 percent, while community facility buildings are allowed at a maximum FAR of 2.0. One off-street parking space is required for each dwelling unit.

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 25 feet and 35 feet, respectively. Front yards must be at least 10 feet deep, and side yards must total 13 feet for detached houses (with a five-foot minimum for each side yard), eight feet for semi-detached buildings, and 16 feet (with an eight-foot minimum on each side) for other multi-family buildings. However, the majority of lots in Gerritsen Beach were established and homes constructed before these dimensional requirements were put in place, and homes here often have very small front and side yards.

C3 (R3-2)

Several lots along the water in the northern portion of the neighborhood are currently zoned for waterfront recreational uses, under the C3 designation. Allowed uses under C3 include facilities to support boating and fishing activities, as well as aquatic sports equipment sales and rentals, ice cream shops, and other small retail. The commercial FAR permitted in C3 districts is 0.5. Commercial buildings may be no more than two stories or 30 feet high. Off-street parking is required according to the commercial use.

Residential developments and community facilities are also permitted in C3 districts per R3-2 zoning district regulations. R3-2 allows for a variety of building types including single- and two-family homes as well as low-rise attached houses and small multi-family apartment houses. Residential buildings are allowed at a maximum floor area ratio (FAR) of 0.5, plus an attic allowance of up to 20 percent, while community facility buildings are allowed at a maximum FAR of 1.0. One off-street parking space is required for each dwelling unit.

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 each side yard), eight feet for semi-detached buildings, and 16 feet (with an eight-foot minimum on each side) for other multi-family buildings. However, as in the R4 area of the neighborhood, most homes in the C3 area were constructed before these zoning

requirements were in place, and the front and side yard requirements can be impractical on these small lots.

Commercial Overlays

C1-2 commercial overlays are mapped along five blocks adjacent to Gerritsen Avenue, covering portions of the corridor's frontage between Allen Avenue and Bartlett Place. A C2-2 commercial overlay is mapped along one block adjacent to Gerritsen Avenue, between Devon Avenue and Everett Avenue. C1 overlays are typically mapped within residential districts to allow a range of local retail and service establishments to serve the surrounding neighborhood. C2 overlays allow these uses, as well as larger retail establishments and entertainment facilities. Specifically, C1 overlays allow Use Groups 4 through 6, while C2 overlays allows a wider range of uses under Use Groups 4 through 9 and 14.

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

C. PURPOSE AND NEED

The proposed rezoning and text amendment actions are intended to address resiliency concerns in a neighborhood vulnerable to flood risk. While the Zoning Resolution is not a comprehensive tool for resiliency planning, together with emergency preparedness and infrastructure planning, the regulation of the density, design, and allowed uses of a neighborhood can help reduce risk of damage in the event of future storms and projected increases in daily high tide flooding due to sea level rise.

In Gerritsen Beach, current zoning allows development at a density that is neither reflective of the neighborhood's established built character nor appropriate for a neighborhood vulnerable to flood risk. Additionally, existing zoning allows a building envelope that does not reflect the scale of existing residential buildings and poses challenges when applying flood-resilient construction standards to buildings on Gerritsen Beach's narrow lots (often between 25 and 35 feet). To address these issues with the current zoning, the proposed actions, described in more detail below, include rezoning the residential area to reflect the appropriate density and building types and applying special district regulations to further reduce future density and modify the building envelope to improve urban design outcomes within the dimensions of Gerritsen Beach's lots.

Additionally, the proposed changes would address outdated commercial zoning in the area. Along Gerritsen Avenue, commercial overlay designations fail to allow for uses that could support residents in the event of a future storm, such as home maintenance and repair services, plumbing and electrical and appliance repair shops. Although significant redevelopment and changes in use are not expected on Gerritsen Avenue in the near future, allowing for appropriate uses could support neighborhood resiliency over time. Further, a reduction in required parking would support the feasibility of resilient retrofits and redevelopment on Gerritsen Avenue's narrow lots. Lastly, adjustments to commercial

district boundaries are proposed to ensure future commercial uses are appropriately located outside of residential blockfronts.

D. PROPOSED ACTIONS

The amendment to the Zoning Map (see Appendix I, Zoning Change Map) and amendment to the Zoning Resolution would limit vulnerability by limiting future density and promote resilient buildings reflective of existing context and unique lot conditions in Gerritsen Beach. The amendment to the Zoning Resolution would apply a Special Coastal Risk District designation to Gerritsen Beach. The proposed amended text is located within Appendix J, and a summary of the regulations are located below.

Zoning Text amendment to establish a Special Coastal Risk District in Gerritsen Beach, under the 137-00 Special Coastal Risk District.
The proposed actions would create a new Gerritsen Beach Special Coastal Risk District, under the Zoning Resolution's 137-00 Special Coastal Risk District to signal the need for a special zoning designation to address flood risk. This zoning tool operates similarly to a Special Purpose District, which can be deployed in different neighborhoods throughout the city that have similar needs. The Special Coastal Risk District has the purpose of denoting flood risk and limiting future development to building types and uses appropriate to the area.

The proposed Special Coastal Risk District for Gerritsen Beach would modify the proposed R4-1 and C3A zoning district regulations to further restrict future residential development to single-family detached houses on lots with less than 3,000 square feet. Two-family development would be allowed on larger lots. This provision, in combination with the rezoning to R4-1 and C3A, would maintain appropriate limits on density, prevent further stress on limited infrastructure capacity, and improve the overall resiliency of the neighborhood by limiting growth in areas of present and future high flood risk.

Additionally, the Special Coastal Risk District in Gerritsen Beach would modify the allowed building height for residential buildings to 25 feet above the ground-floor, which has to be wet floodproofed to meet flood-resistant construction standards.[2] Together with rezoning to R4-1 and C3A, which provides reduced side yard requirements as described below, and restriction to single-family development on small lots, this provision would ensure the design of future flood-resistant homes is contextual and appropriate for the small lot and narrow street conditions in Gerritsen Beach.

Zoning Map amendment to replace R4 zoning with R4-1 zoning
R4 zoning would be replaced by R4-1 zoning, which reflects the neighborhood's character of primarily detached and semi-detached single and two-family residences.

[2] Per Zoning Resolution Article VI, Chapter 4, building height in the 1% annual chance floodplain is measured from the flood-resistant construction elevation (Design Flood Elevation, or DFE) or from a reference plane of 9, 10, or 12 feet above curb level (depending on building's use). As part of the proposed Zoning text amendment action Zoning for Coastal Flood Resilience (CEQR No. 19DCP192Y), all buildings in the 1% annual chance floodplain would be allowed to measure height from any reference plane elevation between the DFE and 10 feet above grade, and all buildings in the 0.2% annual chance floodplain would be allowed a reference plane between the DFE and 5 feet above grade.

R4-1 districts permit one- and two-family detached, zero lot line, and semi-detached residential buildings. The maximum FAR is 0.9, which includes a 0.15 attic allowance. The minimum required lot area is 2,375 square feet and the minimum lot width is 25 feet for detached and zero lot line buildings. For semi-detached buildings, the minimum required lot area is 1,700 square feet and the minimum lot width is 18 feet. One off-street parking space is required for each dwelling unit. The maximum perimeter wall height and building height are 25 feet and 35 feet, respectively. Front yards must be at least 10 feet deep, and side yards must total eight feet for detached and zero lot line buildings and four feet for semi-detached buildings. Community facilities are permitted at an FAR of 2.0.

In the area zoned R4-1, no new attached or multi-family development would be allowed. The reduction in side yard requirement would allow for a more efficient building layout and more contextual flood-resistant development in Gerritsen Beach. The proposed R4-1 district would be modified by the proposed Special Coastal Risk District so that only single-family detached buildings would be permitted on lots less than 3,000 square feet and building heights would be limited to 25 feet above the wet-floodproofed ground-floor, as opposed to 35 feet allowed in the underlying regulations for R4-1 Districts.

R4-1 is proposed for the majority of the Gerritsen Beach rezoning area, excluding the blocks fronting Gerritsen Avenue between Allen and Seba avenues, which are currently zoned and proposed to remain R4, and blocks and portions of blocks currently zoned C3 that directly abut the waterfront.

Zoning Map amendment to replace C3 zoning with C3A and R4-1 zoning
The area proposed to be rezoned to R4-1 is generally bounded by Allen Avenue, Aster Court and Abbey Court, Seba Avenue, Gerritsen Avenue, Shell Bank Creek and the inner canal, Ebony Court, Bijou Avenue, Dictum Court, Channel Avenue, Fane Court, Devon Avenue, Joval Court, Everett Avenue, Lacon Court, and Florence Avenue to the inner canal. This area includes blocks and portions of blocks currently zoned C3. Blocks that do not directly abut the waterfront or provide maritime commercial services would be rezoned to R4-1 to match the existing conditions while limiting uses to residential as appropriate for non-waterfront blocks.

Existing C3 zoning on blocks along the Plumb Beach Channel waterfront, some of which currently provide maritime commercial services, would be replaced by C3A zoning, which allows for certain commercial development and residential construction under R3A regulations. The area proposed to be rezoned to C3A is comprised of portions of blocks abutting Plumb Beach Channel north of the inner canal, generally bounded by the channel and Allen Avenue, Ebony Court, Bijou Avenue, Dictum Court, Channel Avenue, Fane Court, Devon Avenue, Joval Court, Everett Avenue, Lacon Court, Florence Avenue, and the canal.

C3A districts permit waterfront recreational activities, primarily boating and fishing, in areas along the waterfront that are usually adjacent to residential docks. Permitted activities include facilities for docking, renting, services and storing fishing and pleasure boats, aquatic sports equipment sales and rentals, bicycle shops, ice cream stores and public and private beaches. The maximum commercial FAR is 0.5. Under C3A, the existing mix of water-dependent and residential properties would remain in

conformance with zoning and would not face obstacles from zoning if they were to undergo resilient retrofits.

The current C3 zoning allows for residential construction under R3-2 regulations, which permit attached and multi-family buildings on lots of at least 1,700 square feet. As discussed above, the proposed actions include limiting allowable density in areas of high flood risk, and flood risk is especially a concern in the FEMA-designated Coastal A zone that overlaps with much of the C3 area.

The residential equivalent of C3A is R3A, which represents a reduction in allowed residential density. R3A districts permit one- and two-family detached residential buildings. The maximum FAR is 0.6, which includes a 0.1 attic allowance. The minimum required lot area is 2,375 square feet and the minimum lot width is 25 feet. One off-street parking space is required for each dwelling unit. The maximum perimeter wall height and building height are 21 feet and 35 feet, respectively. Front yards must be at least 10 feet deep, and side yards must total eight feet. Community facilities are permitted at an FAR of 1.0.

The residential equivalent (R3A) of the proposed C3A district would be modified by the proposed Gerritsen Beach Special Coastal Risk District so that only single-family detached buildings would be permitted for residential development, on lots less than 3,000 square feet and building heights would be limited to 25 feet above the wet-floodproofed ground floor.

Zoning Map amendment to replace Gerritsen Avenue commercial overlays from C1-2 and C2-2 to C2-3
An update of Gerritsen Avenue's C1-2 and C2-2 commercial overlays to C2-3 is proposed to allow for expanded commercial services in the neighborhood and to slightly reduce the off-street parking requirement. Specifically, a C2-3 commercial overlay is proposed to be mapped to a 50-foot depth from Gerritsen Avenue on the blocks between Allen Avenue and Bijou Avenue, between Channel Avenue and Devon Avenue, between Devon Avenue and Everett Avenue, between Everett Avenue and Florence Avenue, between Florence Avenue and Gotham Avenue, and between Gotham Avenue and Bartlett Place.

C2-3 allows for commercial development that serves the local retail and service needs of communities and has an FAR of 1.0 when mapped in R1 through R5 districts. Allowed uses include grocery stores, restaurants, salons, drug stores, repair services, movie theaters, and funeral homes. The C2-3 overlay generally requires one space for every 400 square feet of commercial floor area. In C2-3 overlays, if the number of spaces required is less than 25, the parking requirement is waived.

The new C2-3 overlay would allow for a somewhat wider range of uses than the existing C1-2, without changing the allowed uses on the C2-2 block front, to include, most importantly, home maintenance and repair services such as plumbing and electrical and appliance repair shops. The uses allowed under C2-3 would also include services that support existing business, such as printers and caterers, as well as small amusement establishments. This zoning change is intended to allow for the future occupation of retail spaces by businesses that could serve Gerritsen Beach residents, especially in the aftermath of a flood event. The C2-3 overlay would also bring at least one existing business on Gerritsen Avenue into conformance.

The C2-3 overlay would slightly reduce off-street parking requirements for the affected block fronts. Whereas C1-2 and C2-2 districts require one parking space per 300 square feet of general retail or service floor area, C2-3 districts require one parking space per 400 square feet of floor area. Currently, new buildings or redevelopments of existing buildings in the C1-2 or C2-2 areas face challenges meeting the existing parking requirements and may not be able to become more flood resilient. This action would therefore remove this existing impediment and allow property owners to undertake resiliency upgrades to their commercial buildings, especially those located on small lots.

Additionally, the existing commercial overlay areas fronting Gerritsen Avenue are proposed to be reduced from a full-block depth to a half-block depth. This change would reflect the existing conditions on these block fronts, where commercial facilities are limited to lots fronting Gerritsen Avenue. Lots fronting Aster Court on the other half of the blocks are predominantly residential or presently vacant. As a narrow street of only 30 feet, with built conditions in context with the broader residential neighborhood, Aster Court is more appropriate for continued residential than for commercial uses.

E. REASONABLE WORST CASE DEVELOPMENT SCENARIO

The proposed actions would moderately reduce the density of potential future residential development in the affected Gerritsen Beach project area. Therefore, a detailed analysis of this aspect of the proposal is unnecessary. However, an additional component of the proposed actions would allow for a minor expansion of uses in the existing commercial uses along Gerritsen Avenue by changing the overlay designation from C1-2 and C2-2 to C2-3. These proposed changes would also reduce the amount of required accessory commercial parking spaces to more accurately reflect the amount currently provided by the existing commercial uses. For the purposes of a conservative analysis, it was deemed appropriate to analyze the potential for the proposed action relating to the commercial overlays to induce new development.

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 10-year period (build year 2029). 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 Gerritsen Beach in recent years, 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 Gerritsen Beach area. Therefore, the proposal will not result in any increment of development for analysis. However, an additional component of the proposed actions is to allow for appropriate commercial uses and reinforce existing development and off-street parking need along Gerritsen Avenue by changing the commercial overlay designation from C1-2 and C2-2 to C2-3. These proposed changes would expand the allowed local commercial uses and reduce the amount of required accessory commercial parking spaces to more accurately reflect the amount currently provided by the

existing businesses. For the purposes of a conservative analysis, it is appropriate to analyze the potential for the prosed action relating to the commercial overlays to induce new development.

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 within the existing and future Gerritsen Avenue commercial overlay area were identified based on the following criteria:

- Lots with a total size of 5,000 square feet (sf) or larger (may include potential assemblages totaling 5,000 sf, respectively, if assemblage seems probable[3]);
- 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 Gerritsen 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;
- Lots less than 5,000 sf, due to the high parking requirement for general retail of 1 per 300 sf which is only waived if less than 15 spaces are required; 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.

[3] *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.*

One site affected by the change in allowed uses from C1-2/C2-2 to C2-3 is an existing heating and air repair shop on Gerritsen Avenue. Not permitted under existing zoning (C1-2), the shop is brought into conformance under the proposed C2-3.

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. The 2013 Flood Text provisions expire with the adoption of new and final FEMA Flood Insurance Rate Maps, anticipated to occur in the next few years, and the 2015 Recovery Text expires in 2020.

While difficult to project with certainty, due to the limited market for new development, based on past trends over ten years, it is anticipated that in the future no-action scenario, no increases or decreases in development from existing conditions is expected to occur. New development, aside from reconstruction following Hurricane Sandy, is rare in Gerritsen Beach and particularly along the Gerritsen Avenue commercial corridor. This trajectory of slow redevelopment, coupled with the fact that most Gerritsen Avenue commercial 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.

Under the existing zoning, it is theoretically possible that up to 495 additional residential units could be built on 234 vacant lots in Gerritsen Beach. Because very little new development has occurred in the past ten years in the neighborhood apart from rebuilding related to Hurricane Sandy, it is highly unlikely that this number of additional units would be developed. Demand in the local housing market is unlikely to support this amount of development. Furthermore, as described above, the majority of lots considered vacant are presently owned by adjacent property owners and used as open space, storage, or parking areas for those homes, which have very limited yard space available on their own lots.

Future With-Action Scenario
As discussed above, a soft site analysis for where new development could be reasonably expected to occur as a result of the proposed changes to the commercial overlays along Gerritsen Avenue showed that none of the affected sites are likely to be redeveloped. The proposed actions are intended to reinforce the existing residential and commercial areas and built form in Gerritsen Beach. Therefore, the proposed actions would not result in any significant additional development compared to the No-Action scenario.

While the intent of updating the commercial overlay designations is, in part, to allow for a wider range of uses in order to support neighborhood resiliency, the lack of projected redevelopment on Gerritsen Avenue does not preclude the opportunity to generate a more resilient mix of commercial uses here over time. New businesses that can serve the community with uses such as home maintenance and repair services would, under the With-Action Scenario, be expected to begin to occupy one or more available commercial storefronts over time without undertaking redevelopment.

At the same time as the Gerritsen Beach proposal, DCP is also proposing a citywide zoning amendment, Zoning for Coastal Flood Resiliency. This text amendment, which complements the local actions in

Gerritsen Beach, would introduce permanent provisions to promote resilient construction, future storm recovery, and long-term resiliency. Both Zoning for Coastal Flood Resiliency and the local actions specific to Gerritsen Beach may be approved under the With-Action Scenario; however, because they are distinct proposals, the With-Action Scenario considers an outcome that would include only the Gerritsen Beach actions.

II. 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 2029.

B. EXISTING CONDITIONS

Land Use
A land use survey was conducted for the rezoning area as well as an area within a 600-foot radius within the rezoning area boundary (see Appendix D, Area Map). 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 600-foot radius of the rezoning area consists of 2,562 lots covering approximately 276 acres. Approximately 78 percent of these tax lots contain residential buildings. Vacant properties lots make up almost 12 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 one percent of the study area's lots consists of open space and recreation uses, they account for over 40 percent of the land area within the study area.

Within the rezoning area, of the lots with residential buildings, over 81 percent are developed with one-family detached residences, approximately nine percent are developed with two-family detached residences, and approximately six percent are developed with semi-detached residences with either one or two units. Less than three percent are developed with either attached residential or multi-family buildings.

Table B-1: Gerritsen Beach Land Use within 600 Feet of Rezoning Area

	Lots	% of total lots*	Area (acres)*	% of land area*
Residential	2,003	78.3%	99.4	33.8%
Detached One-Family	1,296	50.6%	66.7	22.7%
Detached Two-Family	146	5.7%	8.8	3.0%
Semi-Detached One- and Two-Family	333	13.0%	13.7	4.7%
Attached One- and Two-Family	218	8.5%	9.5	3.2%
Multi-Family Walk-Up and Elevator	10	0.4%	0.6	0.2%
Mixed Residential and Commercial	6	0.2%	0.3	0.1%
Commercial and Office	50	2.0%	9.8	3.3%
Industrial and Manufacturing	3	0.1%	3.2	1.1%
Transportation and Utility	8	0.3%	27.6	9.4%
Public Facilities and Institutions	12	0.5%	3.5	1.2%
Open Space and Recreation	25	1.0%	114.7	39.0%
Parking Facilities	92	3.6%	5.1	1.7%
Vacant	295	11.5%	22.4	7.6%
Other/Miscellaneous***	65	2.5%	8.3	2.8%
Total	**2,559**	**100.0%**	**294.1**	**100.0%**

* Numbers have been rounded for clarity.

** For the purpose of a more accurate assessment, only the portions of transportation & utility space on Block 7452/Lot 1 & Block 7481/Lot 1 and park land on Block 8590/Lot 600 & Block 8590/Lot 700 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 B-2: Gerritsen Beach Building Type within Rezoning Area (Residential Lots Only)

Building Type	**Lots**	**% of Residential Lots***
Detached One-Family	1,251	81.3%
Detached Two-Family	143	9.3%
Semi-Detached One- and Two-Family	99	6.4%
Attached One- and Two-Family	42	2.7%
Multi-Family Walk-Up and Elevator	4	0.3%
Total	**1,539**	

*Numbers have been rounded for clarity.

Zoning

The Gerritsen Beach study area is currently zoned R4 and C3 with C1-2 and C2-2 commercial overlay districts mapped along portions of Gerritsen Avenue (see Appendix C, Zoning Map). These zoning

districts have remained largely unchanged since 1961 when the current Zoning Resolution was adopted. Each of these districts is described below.

R4

The majority of Gerritsen Beach is zoned as an R4 lower-density residential district. R4 allows for a variety of building types including single- and two-family homes as well as multi-family attached buildings. Residential buildings are allowed at a maximum floor area ratio (FAR) of 0.75, plus an attic allowance of up to 20 percent, while community facility buildings are allowed at a maximum FAR of 2.0. One off-street parking space is required for each dwelling unit.

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 25 feet and 35 feet, respectively. Front yards must be at least 10 feet deep, and side yards must total 13 feet for detached houses (with a five-foot minimum for each side yard), eight feet for semi-detached buildings, and 16 feet (with an eight-foot minimum on each side) for other multi-family buildings. However, the majority of lots in Gerritsen Beach were established and homes constructed before these dimensional requirements were put in place, and homes here often have very small front and side yards.

C3 (R3-2)

Several lots along the water in the northern portion of the neighborhood are currently zoned for waterfront recreational uses, under the C3 designation. Allowed uses under C3 include facilities to support boating and fishing activities, as well as aquatic sports equipment sales and rentals, ice cream shops, and other small retail. The commercial FAR permitted in C3 districts is 0.5. Commercial buildings may be no more than two stories or 30 feet high. Off-street parking is required according to commercial use.

Residential developments and community facilities are also permitted in C3 districts per R3-2 zoning district regulations. R3-2 allows for a variety of building types including single- and two-family homes as well as low-rise attached houses and small multi-family apartment houses. Residential buildings are allowed at a maximum floor area ratio (FAR) of 0.5, plus an attic allowance of up to 20 percent, while community facility buildings are allowed at a maximum FAR of 1.0. One off-street parking space is required for each dwelling unit.

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 each side yard), eight feet for semi-detached buildings, and 16 feet (with an eight-foot minimum on each side) for other multi-family buildings. However, as in the R4 area of the neighborhood, most homes in the C3 area were constructed before these zoning requirements were in place, and the front and side yard requirements can be impractical on these small lots.

Commercial Overlays

C1-2 commercial overlays are mapped along five blocks adjacent to Gerritsen Avenue, covering portions of the corridor's frontage between Allen Avenue and Bartlett Place. A C2-2 commercial overlay is mapped along one block adjacent to Gerritsen Avenue, between Devon Avenue and Everett Avenue. C1 overlays are typically mapped within residential districts to allow a range of local retail and service establishments to serve the surrounding neighborhood. C2 overlays allow these uses, as well as larger retail establishments and entertainment facilities. Specifically, C1 overlays allow Use Groups 4 through 6, while C2 overlays allows a wider range of uses under Use Groups 4 through 9 and 14.

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

Zoning for Coastal Flood Resiliency

Also currently in effect in Gerritsen Beach and throughout the city are the 2013 Flood Resilience Zoning Text Amendment and the 2015 Special Regulations for Neighborhood. 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 and improve building resiliency and future storm recovery, DCP proposes a citywide, permanent zoning text amendment, Zoning for Coastal Flood Resiliency. This proposal, though distinct from the Gerritsen 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.

Public Policy

The proposed actions to replace current zoning with districts that allow for less density and better reflect existing building character in Gerritsen 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 resiliency citywide and in the Gerritsen Beach rezoning area. 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.

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 Gerritsen Beach, 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 (see Appendix F, Gerritsen Beach Coastal Zone). 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

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, Gerritsen 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 intent of the proposed rezoning is to signal flood risk to the community and to limit vulnerability by limiting the density of future development and reinforce the existing neighborhood character and current building patterns. This will be accomplished by restricting future residential development to single-family detached houses on lots less than 3,000 square feet, with one- and two-family development allowed on larger lots, and by rezoning residential and waterfront portions of the neighborhood to more contextual building envelopes, including reduced side yard requirements and height than allowed today. In addition, an update to the commercial overlay would more adequately reflect existing development patterns and slightly reduce the off-street parking requirement to make it easier to reconstruct commercial buildings, which may be constrained by higher parking requirements under existing zoning.

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 Gerritsen 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 2,060 lots across approximately 20 tax blocks. The rezoning area covers portions of Zoning Map 29a. Amendments to the Zoning Map (see Attachment A) and Zoning Resolution text would reflect existing built form, limit vulnerability by limiting future density, and promote resilient buildings. As an amendment to the Zoning Resolution, a new Special Coastal Risk District under the 137-00 Special Coastal Risk District would be established for Gerritsen Beach.

Proposed Gerritsen Beach Special Coastal Risk District
The proposed actions would create a Gerritsen Beach Special Coastal Risk District under the Zoning Resolution's 137-00 Special Coastal Risk District text to signify the need for a special zoning designation to address flood risk. This zoning tool operates similarly to a Special Purpose District, which can be deployed in different neighborhoods throughout the city that have similar needs. The Special Coastal Risk District has the purpose of denoting flood risk and limiting future development to building types and users appropriate for the area. Currently, Special Coastal Risk Districts exist in Broad Channel and

Hamilton Beach, Queens (CEQR Nos. 17DCP114Q and 17DCP15Q), and East Shore, Staten Island (CEQR No. 17DCP150R).

The proposed Special Coastal Risk District for Gerritsen Beach would limit the proposed underlying R4-1 and R3A zoning districts to restrict future residential development to single-family detached houses on lots less than 3,000 square feet. One- and two-family development would be allowed on larger lots. Additionally, the Special Coastal Risk District in Gerritsen Beach would modify building height limit to two stories.[4]

Proposed R4-1 (from R4 and C3)

R4-1 is proposed for the majority of the Gerritsen Beach rezoning area, excluding the blocks fronting Gerritsen Avenue between Allen and Seba avenues, which are currently zoned and proposed to remain R4, and blocks and portions of blocks currently zoned C3 that directly abut the waterfront. The area is generally bounded by Allen Avenue, Aster Court and Abbey Court, Seba Avenue, Gerritsen Avenue, Shell Bank Creek and the inner canal, Ebony Court, Bijou Avenue, Dictum Court, Channel Avenue, Fane Court, Devon Avenue, Joval Court, Everett Avenue, Lacon Court, and Florence Avenue to the inner canal. The predominant built form in this area is detached residences.

R4-1 districts permit one- and two-family detached, zero lot line, and semi-detached residential buildings. The maximum FAR is 0.9, which includes a 0.15 attic allowance. The minimum required lot area is 2,375 square feet and the minimum lot width is 25 feet for detached and zero lot line buildings. For semi-detached buildings, the minimum required lot area is 1,700 square feet and the minimum lot width is 18 feet. One off-street parking space is required for each dwelling unit. The maximum perimeter wall height and building height are 25 feet and 35 feet, respectively. Front yards must be at least 10 feet deep, and side yards must total eight feet for detached and zero lot line buildings and four feet for semi-detached buildings. Community facilities are permitted at an FAR of 2.0.

Proposed C3A (from C3)

C3A is proposed on Gerritsen Beach's northwest shore, where existing uses include a mix of boat facilities and single-family residences. The area is comprised of portions of blocks abutting Plumb Beach Channel north of the inner canal, generally bounded by the channel and Allen Avenue, Ebony Court, Bijou Avenue, Dictum Court, Channel Avenue, Fane Court, Devon Avenue, Joval Court, Everett Avenue, Lacon Court, Florence Avenue, and the canal.

C3A districts permit waterfront recreational activities, primarily boating and fishing, in areas along the waterfront that are usually adjacent to residential docks. Permitted activities include facilities for docking, renting, services and storing fishing and pleasure boats, aquatic sports equipment sales and

[4] *Per Zoning Resolution Article VI, Chapter 4, building height in the 1% annual chance floodplain is measured from the flood-resistant construction elevation (Design Flood Elevation, or DFE) or from a reference plane of 9, 10, or 12 feet above curb level (depending on building's use). As part of the proposed Zoning text amendment action Zoning for Coastal Flood Resilience (CEQR No. 19DCP192Y), all buildings in the 1% annual chance floodplain would be allowed to measure height from any reference plane elevation between the DFE and 10 feet above curb level, and all buildings in the 0.2% annual chance floodplain would be allowed a reference plane between the DFE and 5 feet above curb level.*

rentals, bicycle shops, ice cream stores and public and private beaches. The FAR is 0.6, which includes a 0.1 attic allowance.

The residential equivalent of C3A is R3A. R3A districts permit one- and two-family detached residential buildings. The maximum FAR is 0.6, which includes a 0.1 attic allowance. The minimum required lot area is 2,375 square feet and the minimum lot width is 25 feet. One off-street parking space is required for each dwelling unit. The maximum perimeter wall height and building height are 21 feet and 35 feet, respectively. Front yards must be at least 10 feet deep, and side yards must total eight feet. Community facilities are permitted at an FAR of 1.0.

Proposed C2-3 Overlay (from C1-2 and C2-2)

A C2-3 commercial overlay designation is proposed along the commercial frontage of Gerritsen Avenue. Specifically, this overlay would be applied to a 50-foot depth from Gerritsen Avenue on the Gerritsen Avenue-fronting blocks between Allen Avenue and Bijou Avenue, between Channel Avenue and Devon Avenue, between Devon Avenue and Everett Avenue, between Everett Avenue and Florence Avenue, between Florence Avenue and Gotham Avenue, and between Gotham Avenue and Bartlett Place.

C2-3 allows for commercial development that serves the local retail and service needs of communities and has an FAR of 1.0 when mapped in R1 through R5 districts. Allowed uses include grocery stores, restaurants, salons, drug stores, repair services, movie theaters, and funeral homes. The C2-3 overlay generally requires one space for every 400 square feet of commercial floor area. In C2-3 overlays, if the number of spaces required is less than 25, the parking requirement is waived.

Zoning for Coastal Flood Resiliency

At the same time as the Gerritsen Beach proposal, DCP is also proposing a citywide zoning amendment, Zoning for Coastal Flood Resiliency. This text amendment, which complements the local actions in Gerritsen Beach, would introduce permanent provisions to promote resilient construction, future storm recovery, and long-term resiliency. Both Zoning for Coastal Flood Resiliency and the local actions specific to Gerritsen Beach may be approved under the With-Action Scenario; however, because they are distinct proposals, the With-Action Scenario may include only the Gerritsen 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 Gerritsen 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 (Appendix K) 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 one-family detached houses only on small lots and allow no more than two-family homes on larger lots. It will also provide commercial buildings relief from high off-street parking requirements that may make reconstruction after a storm more challenging. The proposed action will also make it easier for existing property owners to make resiliency investments in existing homes by better matching the zoning to the existing built context. As described 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 hypothetical net reduction of over 240 potential additional residential units on the neighborhood's vacant or underbuilt lots, as discussed below under Socioeconomic Conditions. 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 Gerritsen Beach rezoning area has limited options for infrastructure improvements that would reduce vulnerability to future tidal flooding. The neighborhood can be accessed and evacuated by only one road, Gerritsen Avenue, and other streets present unusually narrow widths, ranging from thirty feet to as little as fifteen feet wide including sidewalks. Additionally, when the neighborhood was built, sanitary sewer infrastructure was limited to only a few areas on the peninsula. The neighborhood's very limited storm sewer capacity and its high water table make on-site waste water retention quite challenging and exacerbate Gerritsen Beach's vulnerability to flooding. Limiting future density in this 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 proposed Gerritsen 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 Gerritsen Beach study report describes projections from the New York City Panel on Climate Change (NPCC) that show increased vulnerability to daily tidal flooding for significant portions of the neighborhood in the next twenty-five to fifty years. The study recommendations, shaped by these sea level rise projections, include a rezoning to limit future growth. The proposed Special Coastal Risk District for Gerritsen Beach will signal flood risk to current and future residents and amend underlying zoning to limit future residential density. Therefore, the project promotes Policy 1.5.

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

Policy 3.1: Support and encourage in-water recreational activities in suitable locations.
As part of the proposed Gerritsen Beach rezoning, a C3A district would be mapped on the neighborhood's northwest shore along Plumb Beach Channel to reflect the existing mix of water-dependent and residential uses in the area including marina and boat storage and single-family homes. Under C3A, these properties would remain in conformance with zoning and would not face obstacles from zoning if they were to undergo resilient retrofits. Waterfront recreational activities that would be permitted include facilities for docking, renting, services, and storing fishing and pleasure boats. Other permitted uses include aquatic sports equipment sales and rentals, ice cream shops, and public and private beaches, as well as single- and two-family residences. Given the existing water-dependent uses in the area, this rezoning is proposed in an appropriate location. Therefore, the project promotes Policy 3.1.

Policy 3.2: Support and encourage recreational, educational and commercial boating in New York City's maritime centers.
The proposed C3A district on Gerritsen Beach's northwest shore would include existing marina properties as well as adjacent waterfront blocks. All properties mapped C3A would continue to be allowed to develop compatible waterfront uses, while also still having the option of residential equivalent (R3A) redevelopment. Any new uses would need to meet current Building Code standards, including the latest flood-resistant construction standards. Therefore, this project promotes Policy 3.2.

Policy 3.5: In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.
The WRP identifies portions of the Gerritsen Beach coastline as Priority Marine Activity Zones because they provide concentrations of waterborne transportation and support the city's maritime activities. As described above, a C3A district is proposed to be mapped on the neighborhood's northwest shore along Plumb Beach Channel to support the existing mix of water-dependent uses in the area including marina and boat storage. Under C3A, these properties would remain in conformance with zoning and would not face obstacles from zoning if they were to undergo resilient retrofits. The proposed action will not make any changes to activities at the water's edge, but rather will serve to support the long-term resiliency and

ongoing marine activity of the neighborhood by facilitating flood resilient development. Therefore, the project promotes Policy 3.5.

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 Marine Park, Four Sparrow Marsh, or Jamaica Bay wetland areas, it will not fragment existing biological resources or disturb plant species. There will be no specific adverse impacts to the ecological systems. Therefore, the project promotes Policy 4.1.

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 NYSDEC 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 Gerritsen 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 (see Appendix G, Gerritsen Beach PFIRMs). In addition, daily tidal flooding is expected to affect significant portions of the neighborhood in the next twenty-five to fifty years (see Appendix H, Gerritsen Beach Tidal Flooding). The proposed Special Coastal Risk District for Gerritsen 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 existing property owners to make resiliency investments in existing homes by better matching the zoning to the existing built context. It will also provide commercial buildings' relief from current high off-street parking requirements that may make reconstruction after a storm more challenging. 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 Gerritsen 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 ranges on average from ten to twelve feet above sea level, or one to eight feet above ground level. There is also a risk from wave action up to three feet in height in Coastal A Zone areas of the neighborhood along Plumb Beach Channel. The Gerritsen Beach study report describes NPCC projections that show increased vulnerability to daily tidal flooding for significant portions of the neighborhood in the next twenty-five to fifty years.

The study recommendations, shaped by these sea level rise projections, include a rezoning to limit future growth. The proposed Special Coastal Risk District for Gerritsen Beach will signal flood risk to current and future residents and amend underlying zoning to limit future residential development density. 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, as described above, there would be a net reduction of potential residential units developed in the neighborhood's vacant or underbuilt lots.

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

DCP's Waterfront Open Space Division, on behalf of the New York City Coastal Commission, having reviewed the waterfront aspect of this action, found that the proposed actions will not substantially hinder the achievement of any WRP policy and determined that the project is consistent with the WRP policies (Appendix L).

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 include rezoning and creation of a Special Coastal Risk District and change in commercial overlay dimensions and 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 to the commercial overlays along Gerritsen Avenue showed that none of the affected sites are likely to be redeveloped. Additionally, the proposed rezoning to R4-1 and C3A in combination with the proposed special district would reduce the density of potential future residential development in the Gerritsen 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 Marine Park, but the project would 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 requires its own analysis through the Jamaica Bay Watershed Protection Plan Project Tracking Form (Appendix M). 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; signal flood risk to the community; and reinforce existing neighborhood character and current building patterns by replacing current zoning with more contextual building envelopes and updated commercial overlays.

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: community facilities, open space, shadows, historic and cultural resources, hazardous materials, water and sewer infrastructure, solid waste and sanitation services, energy, transportation, air quality, greenhouse gas emissions, noise, public health, or construction impacts, and no further analysis in these categories is required.

A. SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements.

Direct displacement is the involuntary displacement of residents or businesses from a site or sites directly affected by a proposed project. Indirect displacement is the involuntary displacement of residents, businesses, or employees that results from a change in socioeconomic conditions created by the proposed project. According to the *CEQR Technical Manual*, an analysis of socioeconomic conditions should be conducted if a proposed action is reasonably expected to cause substantial socioeconomic

changes with the affected area. A socioeconomic assessment is typically required if an action is expected to cause the following:

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

The proposed action is not anticipated to: directly impact any employees or businesses, directly displace a residential population or to generate any indirect impacts. Likewise, the proposed actions are not anticipated to impact a specific industry such as the housing market or construction industry in the Gerritsen Beach area.

To determine this, a qualitative analysis was conducted. The qualitative analysis took into consideration development trends in the neighborhood over the past ten years and examined the amount of vacant developable sites, and the development potential on these sites under both the existing and proposed zoning. Vacant sites were chosen for this analysis because, although there are some underbuilt sites in the neighborhood that could accommodate additional development, it is more likely that vacant sites would be redeveloped because they would not be encumbered by the presence of existing buildings. However, a number of the lots designated as vacant are owned by an adjacent property owner and may be used as private open space, storage, parking or water access. Certain vacant sites were not analyzed because of limitations on their development potential such as small size, irregular shape, significant portion under water, or ownership or restriction by government agencies.

As discussed above, the proposed rezoning to R4-1 and C3A in combination with the proposed special district would reduce the density of potential future residential development in the Gerritsen Beach area, and would not induce any significant new development. The proposed actions are not intended or expected, however, to result in a decrease in the number of existing residential units in the area. Any residential uses that would be considered legally non-conforming under the proposed actions would be grandfathered and permitted to continue. However, the proposed actions are intended to ensure that any future residential development in neighborhood would be of a limited density that is more appropriate for an area highly vulnerable to flooding.

Although the proposed actions would result in a decrease in the allowed density of future residential development, they are not expected to have any negative impacts on the housing market or

construction industry in the Gerritsen Beach area. To determine the potential for impacts on the housing market and the construction industry resulting from the proposed actions, a qualitative analysis was performed. This qualitative analysis took into consideration development trends in the neighborhood over the past ten years[5] and examined the amount of vacant developable sites and the development potential on these sites under both the existing and proposed zoning. Vacant sites were chosen for this analysis because, although there are some underbuilt sites in the neighborhood that could accommodate additional development, it is more likely that vacant sites would be redeveloped because they would not be encumbered by the presence of existing buildings. However, a number of the lots designated as vacant are owned by an adjacent property owner and may be used as private open space, storage, parking or water access. Certain vacant sites were not analyzed because of limitations on their development potential such as small size, irregular shape, significant portion under water, or ownership or restriction by government agencies.

Under the proposed actions, the potential number of new residential units that could theoretically be developed on the same sites is approximately 251. This reduction in residential units is due to a change in the permitted building typology: As previously described, the proposed R4-1 and C3A districts would be modified by the proposed Gerritsen Beach Special Coastal Risk District so that residential development would be limited to single-family homes on lots less than 3,000 square feet and two-family homes on larger lots. Therefore, the theoretical reduction in the amount of residential development between the No Action and With-Action scenarios is approximately 244 units.

Table A-3: Potential Dwelling Units

	Zoning		Difference	
Developable Lots	Existing R4 and C3	Proposed R4-1 and C3A	Number	Percent Change
234	495 units	251 units	244	49.3%

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.

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

B. URBAN DESIGN AND VISUAL RESOURCES

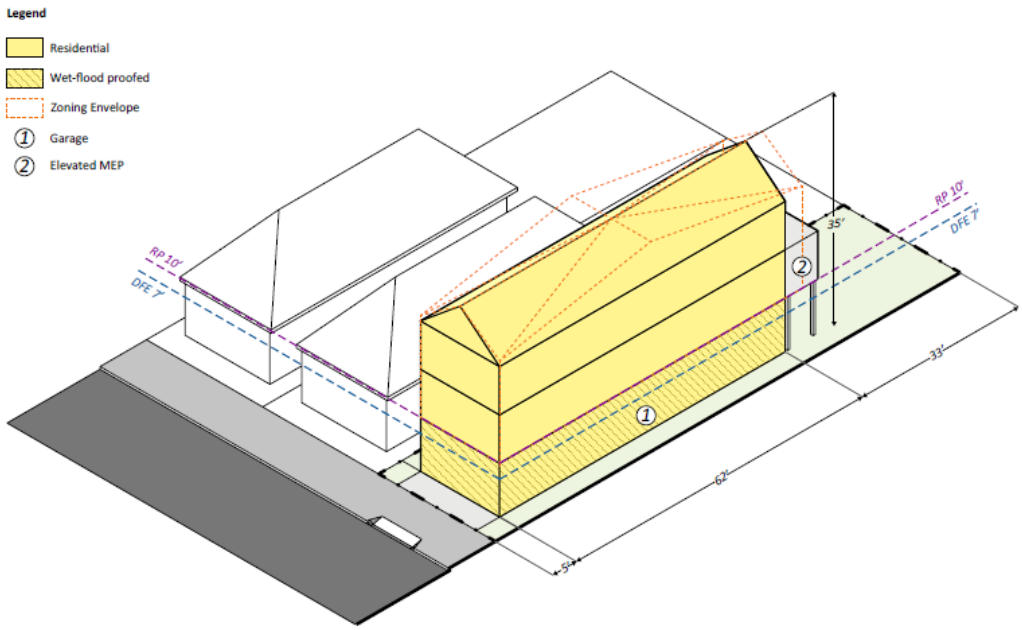
The *CEQR Technical Manual* outlines an assessment of urban design when a project may have effects on one or more of the elements that contribute to a pedestrian's experience of public space. These elements include streets, buildings, visual resources, open spaces, natural resources, wind and sunlight. 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

[5] There are 40+ pre-Sandy new/re-builds going back 15 years and fewer than 10 going back ten years.

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.

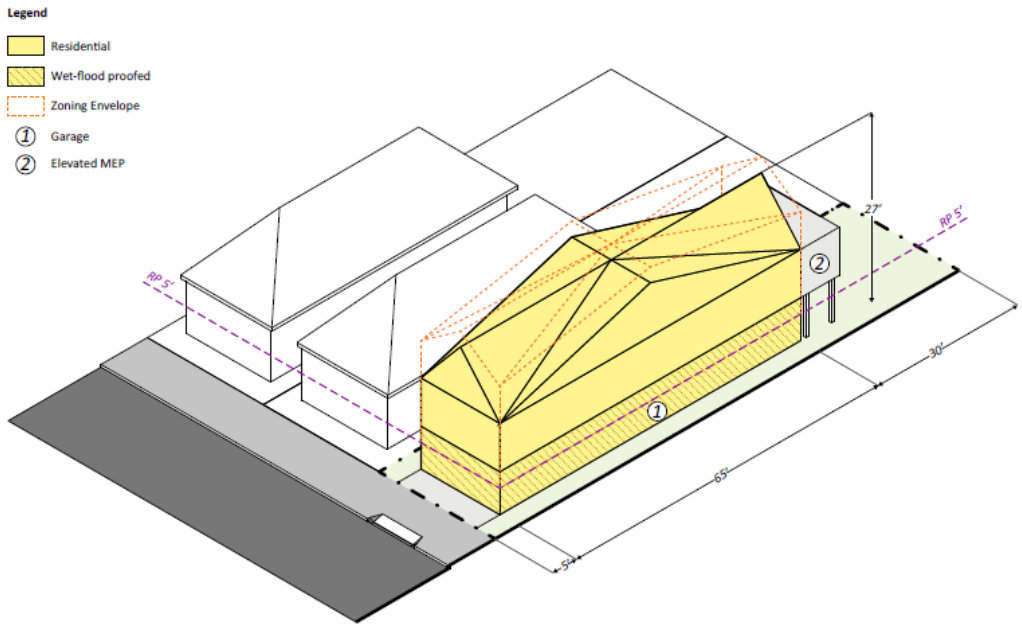
As described in Attachment A, a soft site analysis for where new development could be reasonably expected to occur as a result of the proposed changes to the commercial overlays along Gerritsen Avenue showed that none of the affected sites are likely to be redeveloped. Additionally, the proposed rezoning to R4-1 and C3A in combination with the proposed special district would reduce the density of potential future residential development in the Gerritsen Beach area, and would not induce new development.

The proposed actions are intended to reinforce the existing residential and commercial areas and built form in Gerritsen Beach by ensuring zoning envelopes that reflect existing context (see photos, Appendix F). As previously described, over 90 percent of the existing residential buildings in Gerritsen Beach are detached one-family or two-family homes. While the existing R4 and C3 (R3-2 equivalent) zoning permit construction of a variety of residential building typologies, the proposed R4-1 and C3A (R3A equivalent) districts and Gerritsen Beach Special Coastal Risk District would limit future residential development to single-family detached homes on lots less than 3,000 square feet and two-family homes on larger lots. The R4-1 and C3A zoning districts, together with the Gerritsen Beach Special Coastal Risk District text, would also provide building envelopes that better match existing context through reduced side yard requirements and a height limit of two stories. Figures 1 and 2 are from the Prototypical Site Analysis Site 11 in ZCFR's Environmental Impact Statement; they show the "cottage envelope" and represent lot and building conditions commonly found in Gerritsen Beach.



**RP = Reference Plane*
**DFE= Design Flood Elevation*

Figure 1: 1% Annual Change Floodplain - With Action



*RP = Reference Plane

Figure 2: 0.2% Annual Change Floodplain - With Action

These proposed provisions would improve the pedestrian's experience of urban design by preventing the tall and narrow built form generated by Gerritsen Beach's zoning and flood elevations today and instead facilitating squatter buildings of equal floor area that reflect the shapes of their neighbors. Therefore, significant adverse impacts to urban design are not expected and detailed analyses are not warranted.

C. NEIGHBORHOOD CHARACTER

No significant adverse impacts to neighborhood character are anticipated. The proposed action is expected reinforce the existing neighborhood character which is predominantly comprised of low density one- and two-family detached residential development. As described above, of the lots with residential uses within the rezoning area, over 81 percent are developed with one-family detached residences, approximately nine percent are developed with two-family detached residences, and approximately six percent are developed with semi-detached residences with either one or two units. Approximately three percent are developed with either attached residential or multi-family buildings. The proposed project would replace existing R4 and non-waterfront C3 (R3-2) areas with R4-1 zoning and waterfront C3 (R3-2) areas with C3A (R3A) zoning to reinforce neighborhood character and current building patterns. The proposed Gerritsen Beach Special Coastal Risk District is intended to signal flood risk to the community and limit the density of future development by amending the proposed R4-1 and C3A (R3A) zoning to only allow two-family housing on lots greater than 3,000 square feet. Furthermore, updating the existing C1-2 and C2-2 commercial overlays along Gerritsen Avenue to C2-3 is proposed to more adequately reflect appropriate commercial uses and development patterns.

As defined by the *CEQR Technical Manual*, neighborhood character is considered to be an amalgam of the various elements that give a neighborhood its distinct personality. The elements typically include land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic and noise. The proposed action is expected to be supportive of these elements and the existing neighborhood character. As the proposed actions would result in the types of buildings that already exist in the area, they would not introduce new or significant adverse impacts to the neighborhood character. Any further analysis is not necessary.

Appendix A: Blocks and Lots

Tax Blocks	Tax Lots
8830	20, 21, 22, 35, 112, 113, 114, 116, 118, 122
8833	1
8834	All (24, 100, 150, 175)
8845	All (1660, 1662, 1664, 1666, 1668, 1670, 1671, 1672, 1673, 1674, 1676, 1678, 1680, 1682, 1684, 1686, 1688, 1689, 1690, 1691, 1692, 1694, 1695, 1900, 1902, 1904, 1906, 1908, 1910, 1912, 1914, 1916, 1918, 1920, 1922, 1924, 1926, 1930, 1932, 1938, 1942, 1944, 1946, 1950, 1952, 1954, 1956, 1958, 1960, 1962, 1964, 1970, 1972, 1976, 1978, 1980, 1982, 1984, 1986, 1988, 1990, 1992, 1994, 1996, 1998, 1999, 2000, 2002, 2004, 2006, 2008, 2010, 2014, 2016, 2018, 2020, 2022, 2024, 2030, 2032, 2034, 2036, 2038, 2040, 2042, 2044, 2046, 2048, 2050, 2052, 2054, 2056, 2058, 2060, 2062, 2066, 2068, 2070, 2074, 2076, 2078, 2080, 2082, 2084, 2086, 2088, 2090, 2092, 2094, 2096, 2098, 2100, 2104, 2106, 2110, 2112, 2114, 2116, 2118, 2119, 2120, 2121, 2122, 2124, 2126, 2128, 2132, 2134, 2136, 2138, 2140, 2144, 2146, 2148, 2152, 2154, 2156, 2158, 2160, 2164, 2166, 2168, 2169, 2170, 2172, 2174, 2176, 2178, 2180, 2184, 2186, 2190, 2192, 2194, 2196, 2198, 2200, 2202, 2204, 2206, 2208, 2210, 2212, 2214, 2216, 2218, 2220, 2224, 2226, 2228, 2230, 2232, 2234, 2236, 2238, 2240, 2242, 2246, 2247, 2248, 2249, 2252, 2254, 2256, 2258, 2260, 2262, 5525)
8856	All (1480, 1482, 1484, 1486, 1488, 1490, 1494, 1496, 1498, 1500, 1502, 1503, 1504, 1506, 1508, 1510, 1512, 1514, 1516, 1518, 1522, 1524, 1526, 1527, 1528, 1532, 1534, 1536, 1538, 1540, 1544, 1550, 1552, 1554, 1556, 1558, 1560, 1562, 1564, 1566, 1568, 1570, 1572, 1574, 1576, 1578, 1582, 1584, 1586, 1592, 1596, 1598, 1600, 1602, 1604, 1606, 1608, 1610, 1612, 1614, 1616, 1618, 1620, 1622, 1624, 1626, 1628, 1630, 1632, 1636, 1638, 1640, 1644, 1646, 1648, 1650, 1656, 1658, 1696, 1700, 1844, 1846, 1848, 1850, 1852, 1853, 1857, 1859, 1861, 1863, 1865, 1867, 1869, 1871, 1874, 1878, 1880, 1882, 1884, 1887, 1890, 1894, 1895, 1896, 1897, 1898, 1900, 5535)
8866	All (1200, 1202, 1204, 1206, 1208, 1210, 1212, 1214, 1216, 1220, 1222, 1226, 1230, 1236, 1238, 1240, 1242, 1246, 1248, 1250, 1252, 1254, 1260, 1262, 1264, 1266, 1268, 1270, 1272, 1274, 1276, 1280, 1282, 1284, 1286, 1288, 1290, 1292, 1294, 1296, 1298, 1300, 1302, 1304, 1306, 1308, 1310, 1312, 1314, 1316, 1318, 1320, 1322, 1324, 1326, 1328, 1330, 1332, 1334, 1336, 1338, 1340, 1342, 1344, 1348, 1350, 1352, 1354, 1356, 1358, 1360, 1362, 1364, 1366, 1368, 1370, 1372, 1374, 1376, 1378, 1380, 1384, 1386, 1388, 1390, 1392, 1394, 1396, 1398, 1400, 1402, 1404, 1406, 1408, 1410, 1412, 1414, 1416, 1418, 1420, 1422, 1424, 1426, 1428, 1432, 1434, 1436, 1440, 1442, 1444, 1446, 1448, 1450, 1452, 1454, 1456, 1458, 1460, 1462, 1464, 1466, 1468, 1470, 1472, 1474, 1476, 1478, 1750, 1752, 1754, 1756, 1758, 1759, 1760, 1762, 1764, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1774, 1776, 1778, 1780, 1782, 1784, 1786, 1789, 1790, 1792, 1794, 1796, 1798, 1800, 1802, 1806, 1808, 1810, 1812, 1814, 1815, 1816, 1817, 1819, 1821, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1834, 1835, 1838, 1840, 1842, 1895, 1896, 1897, 5540)
8876	All (2630, 2634, 2636, 2638, 2640, 2642, 2644, 2646, 2648, 2650, 2652, 2654, 2656, 2658, 2660, 2662, 2664, 2666, 2670, 2672, 2674, 2676, 2678, 2682, 2684, 2686, 2690, 2694, 2696, 2698, 2700, 2702, 2706, 2708, 2710, 2712, 2714, 2716, 2718, 2720, 2722, 2724, 2734, 2736, 2738, 2740, 2742, 2744, 2746, 2748, 2750, 2754, 2756, 2758, 2760, 2762, 2772, 2774, 2776, 2778, 2780, 2782, 2784, 2786, 2788, 2790, 2794, 2800, 2804, 2806, 2808, 2810, 2812, 2814, 2816, 2818, 2820, 2822, 2824, 2826, 2828, 2832, 2836, 2838, 2840, 2842, 2844, 2846, 2850, 5545)

8883	All (2, 6, 10, 14, 16, 18, 22, 24, 26, 28, 30, 32, 34, 38, 42, 44, 46, 48, 50, 54, 56, 58, 60, 62, 64, 66, 68, 70, 86, 90, 92, 94, 96, 98, 100, 530, 548, 851, 852, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 870, 872, 873, 874, 876, 877, 878, 879, 880, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 976, 977, 978, 979, 980, 6960)
8885	All (4, 6, 10, 12, 16, 18, 20, 24, 26, 28, 30, 32, 34, 36, 38, 40, 44, 46, 47, 48, 50, 52, 56, 62, 64, 68, 70, 72, 74, 76, 80, 84, 86, 88, 90, 92, 96, 98, 172, 176, 178, 180, 182, 186, 188, 190, 192, 196, 200, 300, 304, 308, 312, 314, 316, 320, 324, 328, 332, 335, 340, 342, 344, 348, 352, 356, 358, 360, 364, 368, 372, 376, 378, 380, 384, 386, 388, 390, 392, 394, 400, 404, 406, 408, 410, 412, 416, 417, 430, 445, 450)
8891	All (146, 460, 462, 464, 468, 470, 472, 476, 480, 484, 488, 492, 496, 500, 502, 504, 506, 508, 512, 516, 518, 520, 524, 528, 532, 534, 536, 540, 544, 548, 550, 552, 554, 556, 558, 560, 564, 568, 572, 576, 580, 586, 590, 592, 594, 598, 600, 602, 604, 608, 610, 612, 614, 616, 618, 620, 622, 624, 636, 638, 640, 642, 644, 648, 656, 658, 660, 662, 681, 682, 687, 690, 692, 694, 698)
8896	All (8, 10, 12, 16, 30, 36, 38, 40, 42, 44, 46, 48, 50, 51, 63, 68, 75, 147, 550)
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8914	All (10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 34, 36, 38, 40, 42, 44, 46, 48, 50, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 82, 86, 88, 90, 92, 94, 96, 98, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 422, 424, 426, 428, 430, 432, 434, 436, 438, 442, 444, 446, 450, 452, 454, 458, 460, 462, 466, 470, 472, 474, 476, 478, 482, 484, 486, 488, 490, 492, 494, 496, 498, 502, 504, 506, 508, 510, 512, 514, 516, 520, 524, 526, 528, 530, 532, 534, 536, 538, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 570, 572, 574, 576, 580, 582, 584, 586, 588, 590, 594, 596, 600, 604, 606, 608, 610, 612, 614, 616, 618, 622, 624, 626)
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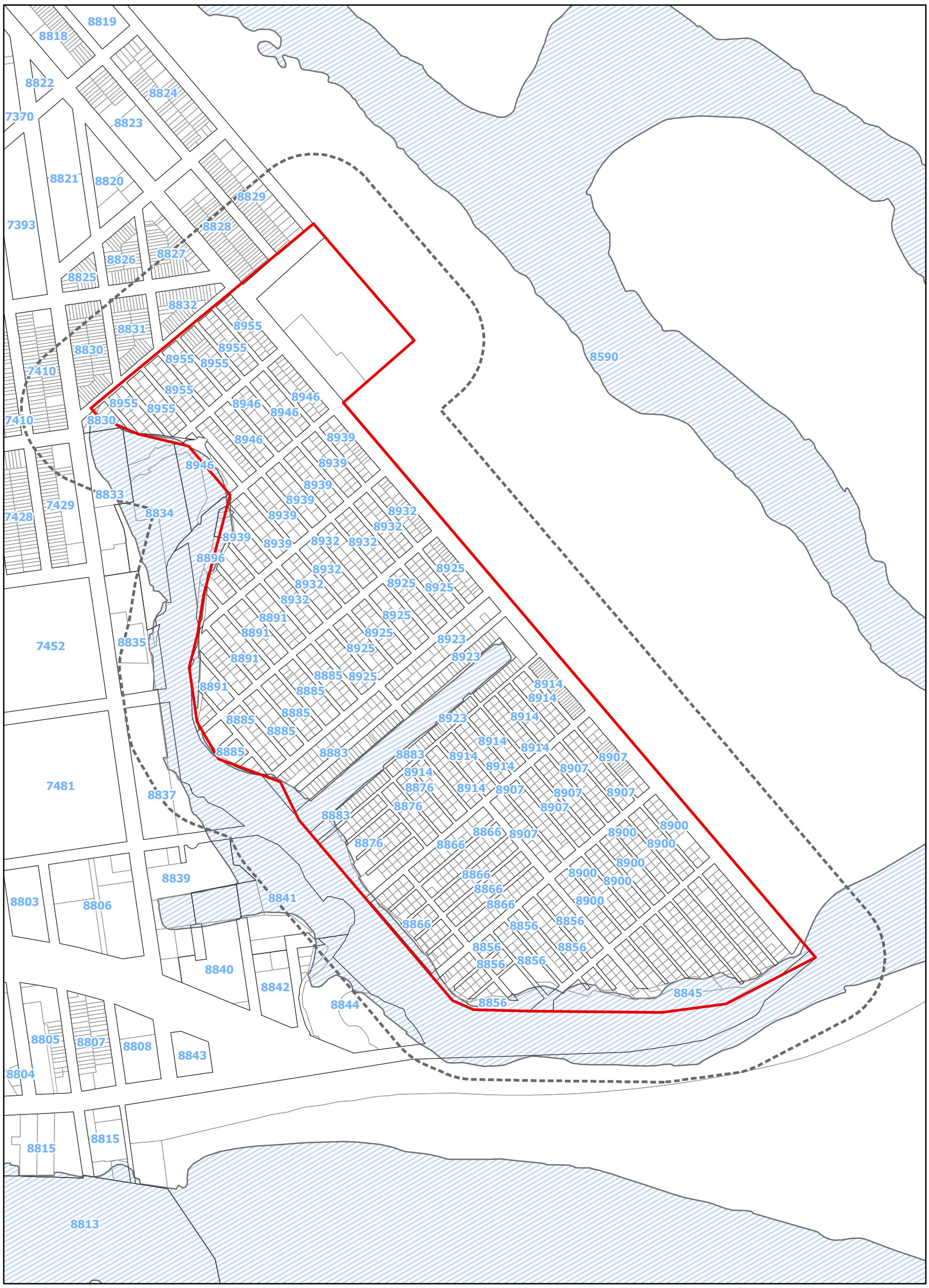
Appendix B: Site Location Map

Resilient Neighborhoods: Gerritsen Beach
NYC Department of City Planning



Gerritsen Beach Study Area

400-Foot Buffer

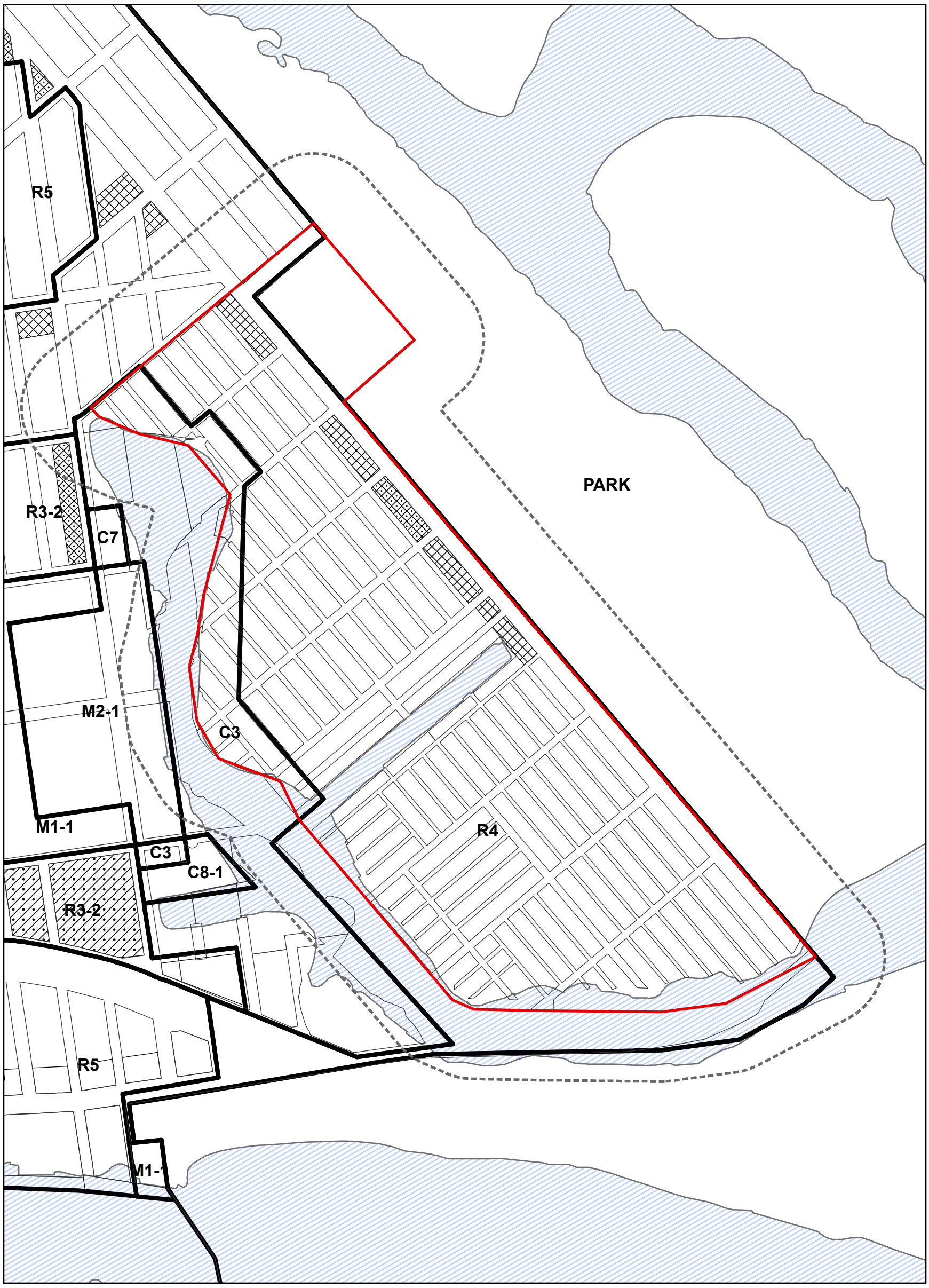
8923 Tax Block

Tax Lot

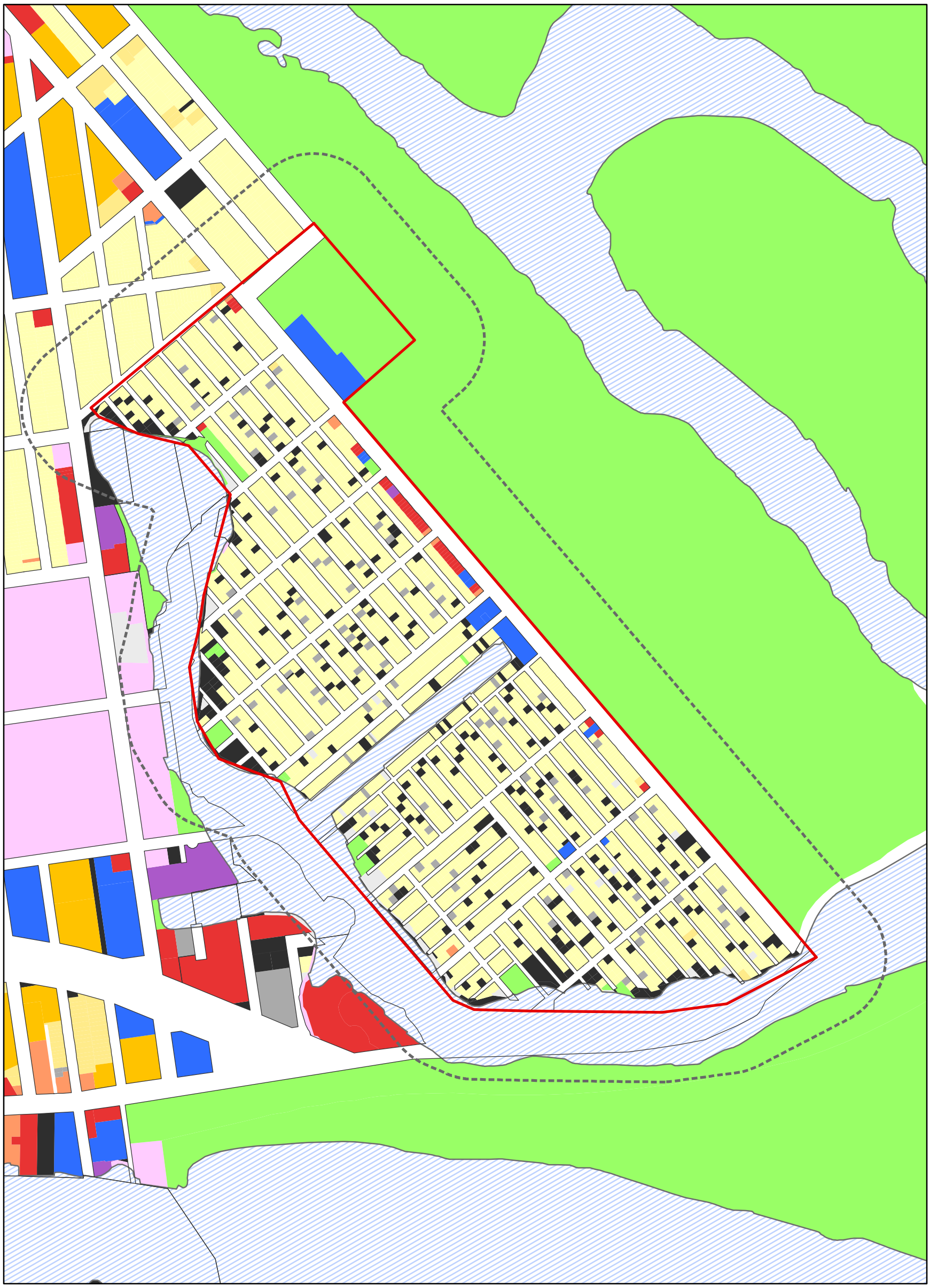
Water Boundary

0 500 1,000 2,000 Feet

Appendix C: Zoning Map



Appendix D: Area Map



Resilient Neighborhoods: Gerritsen Beach

Appendix E
Project Area Photos

Resilient Neighborhoods: Gerritsen Beach
Project Area Photographs



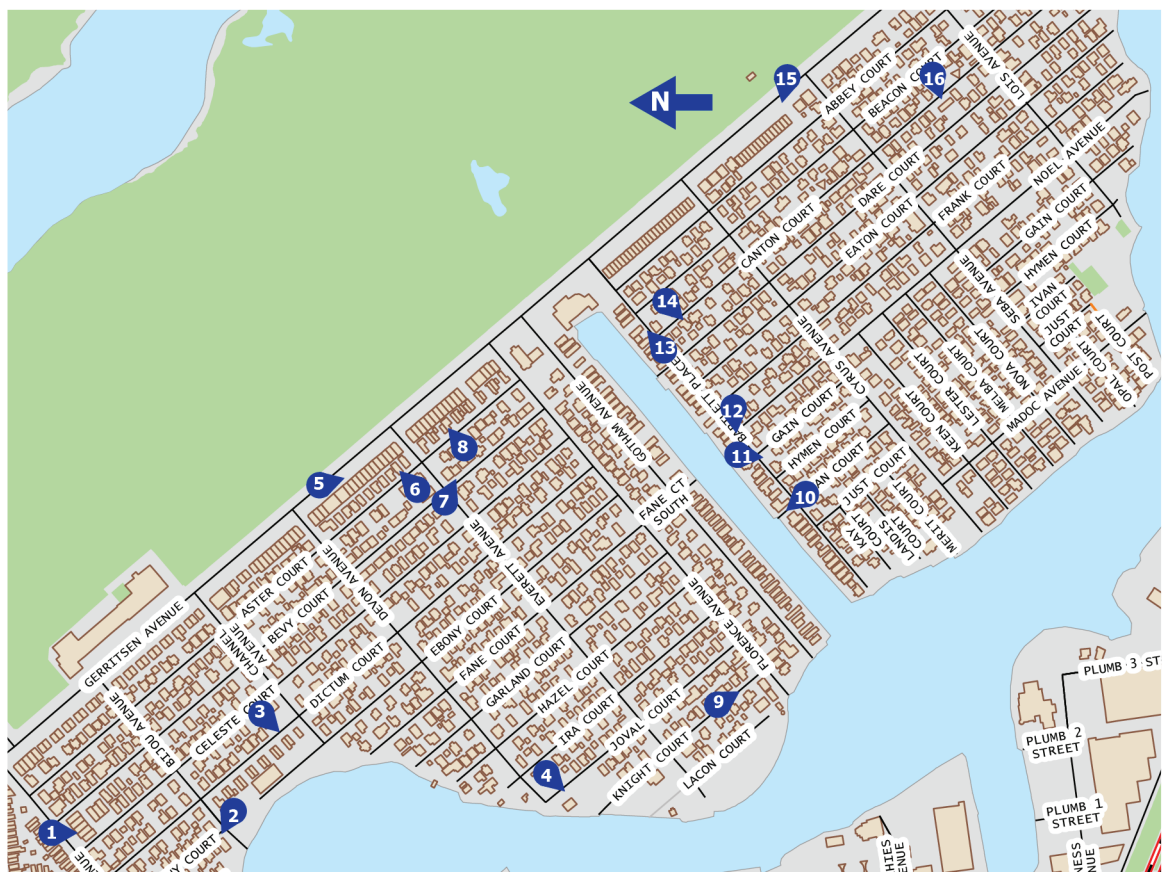
1. 210-220 Allen Avenue, facing south (06/21/2019)



2. Intersection of Bijou Avenue and Ebony Court, facing west-northwest (06/21/2019)



3. 75 Dictum Court, facing west-southwest (05/2019)



Photos Key

Resilient Neighborhoods: Gerritsen Beach
Project Area Photographs



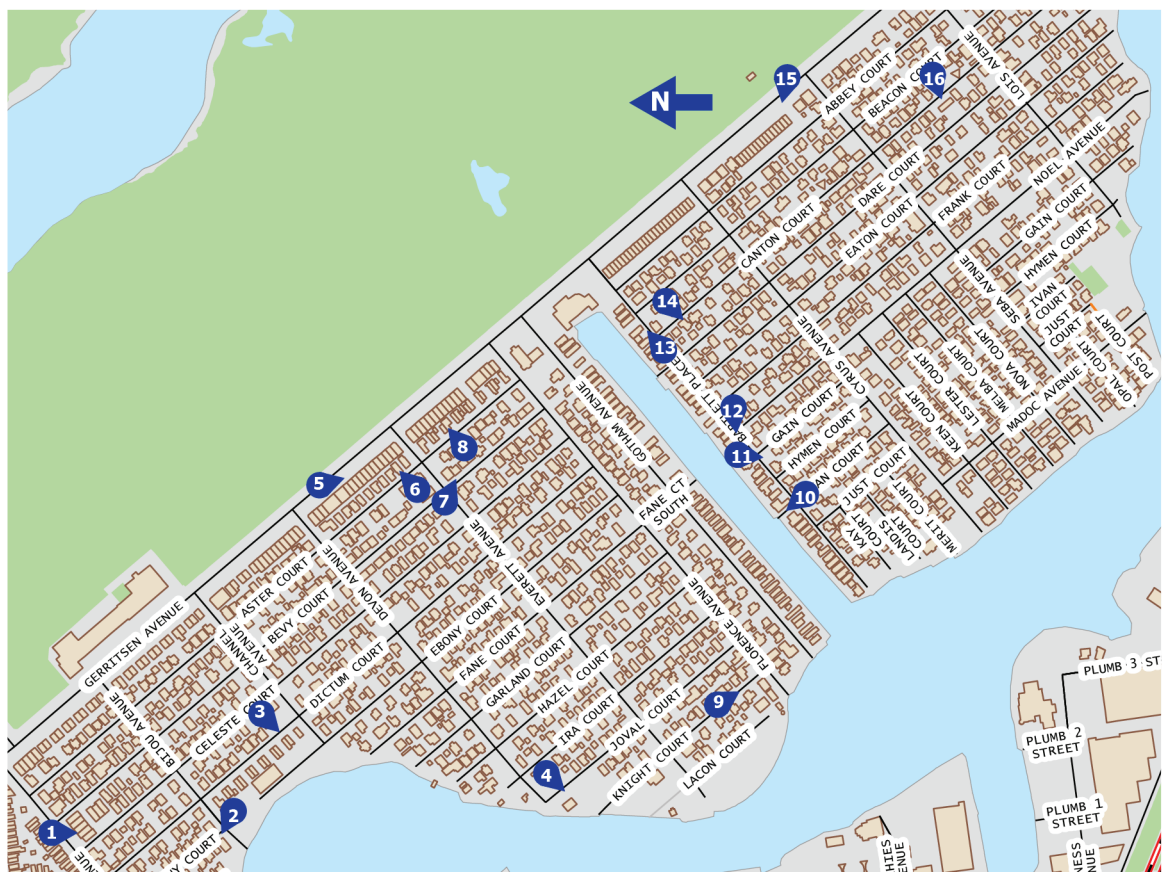
4. 43-45 Joval Court, west-southwest (05/2019)



5. 2860 Gerritsen Avenue, facing southeast (06/21/2019)



6. 28 Aster Court, facing northeast (05/2019)



Photos Key

Resilient Neighborhoods: Gerritsen Beach
Project Area Photographs



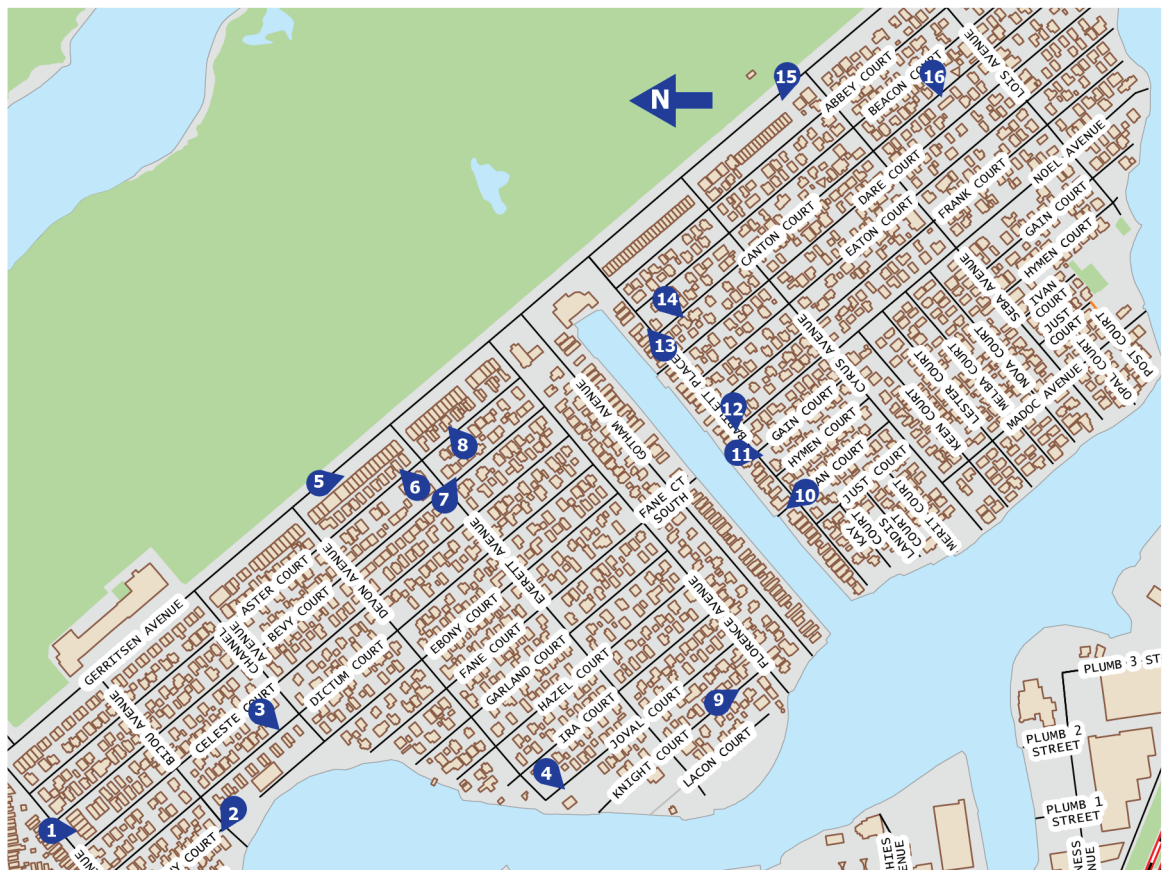
7. 24-22 Bevy Court, facing east (06/21/2019)



8. 18-16 Aster Court, facing northeast (05/2019)



9. Knight Court between Everett Avenue and Florence Avenue, facing southeast (05/2019)



Photos Key

Resilient Neighborhoods: Gerritsen Beach
Project Area Photographs



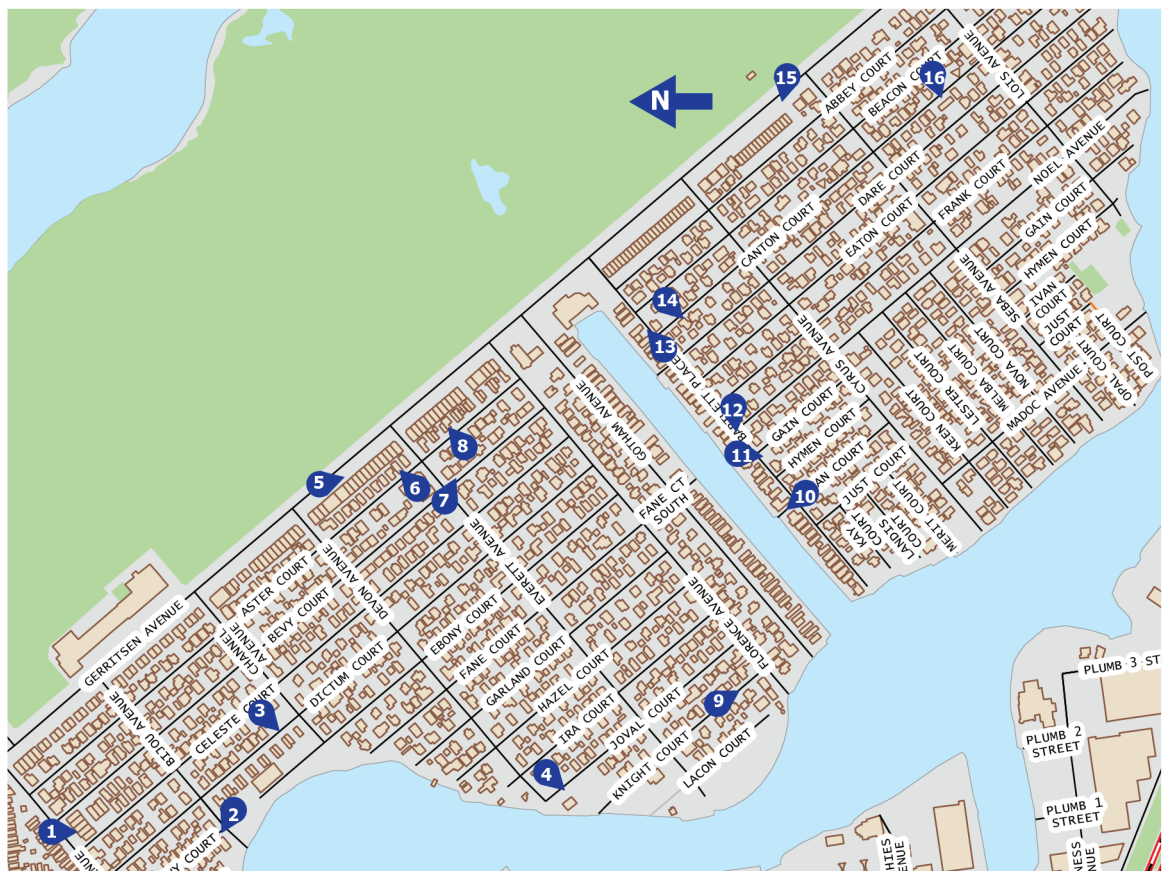
10. Ivan Avenue view of Gotham Avenue across canal, facing northwest (06/21/2019)



11. Barlett Place and Gain Court, facing south (06/21/2019)



12. 57-53 Barlett Place, facing west (06/21/2019)



Photos Key

Resilient Neighborhoods: Gerritsen Beach
Project Area Photographs



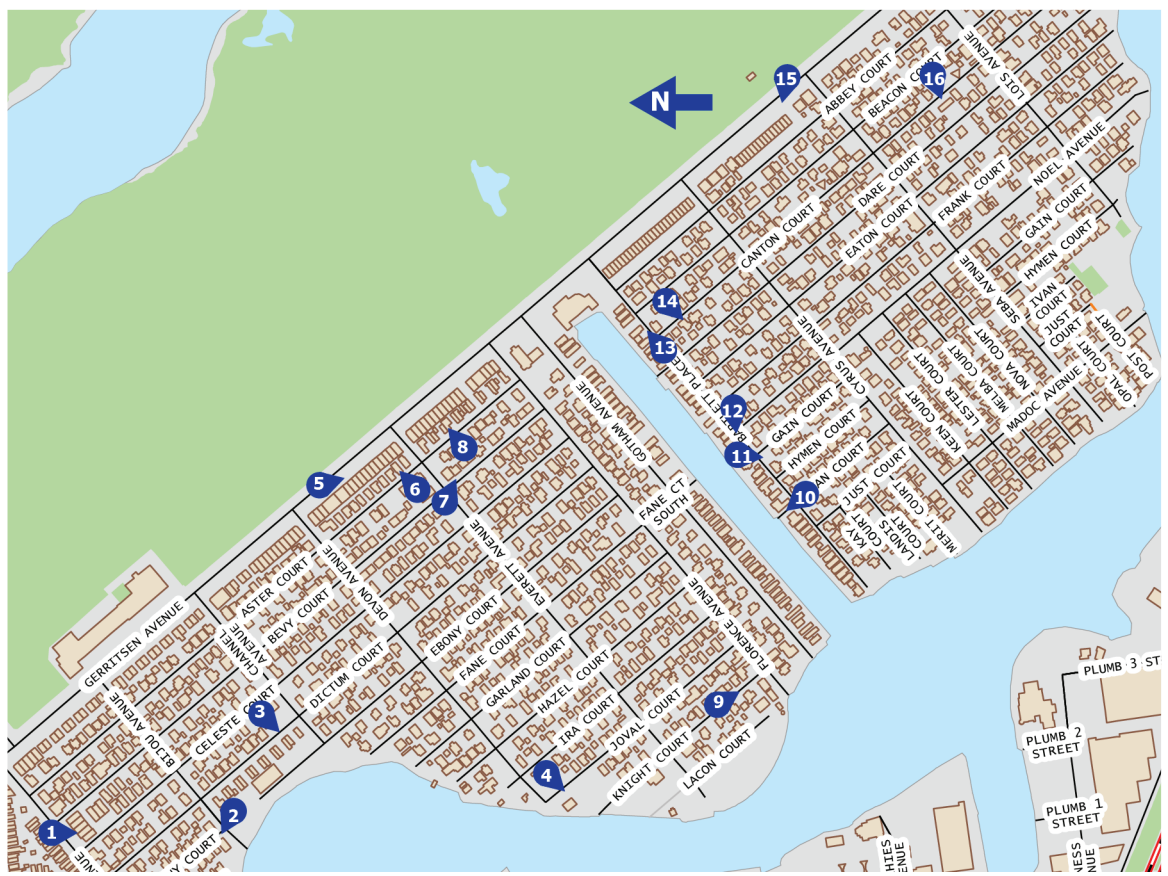
13. Barlett Place and Canton Court, facing northeast (06/21/2019)



14. 115 Canton Court, facing west-southwest (06/21/2019)



15. 2924-2920 Gerritsen Avenue, facing west (06/21/2019)

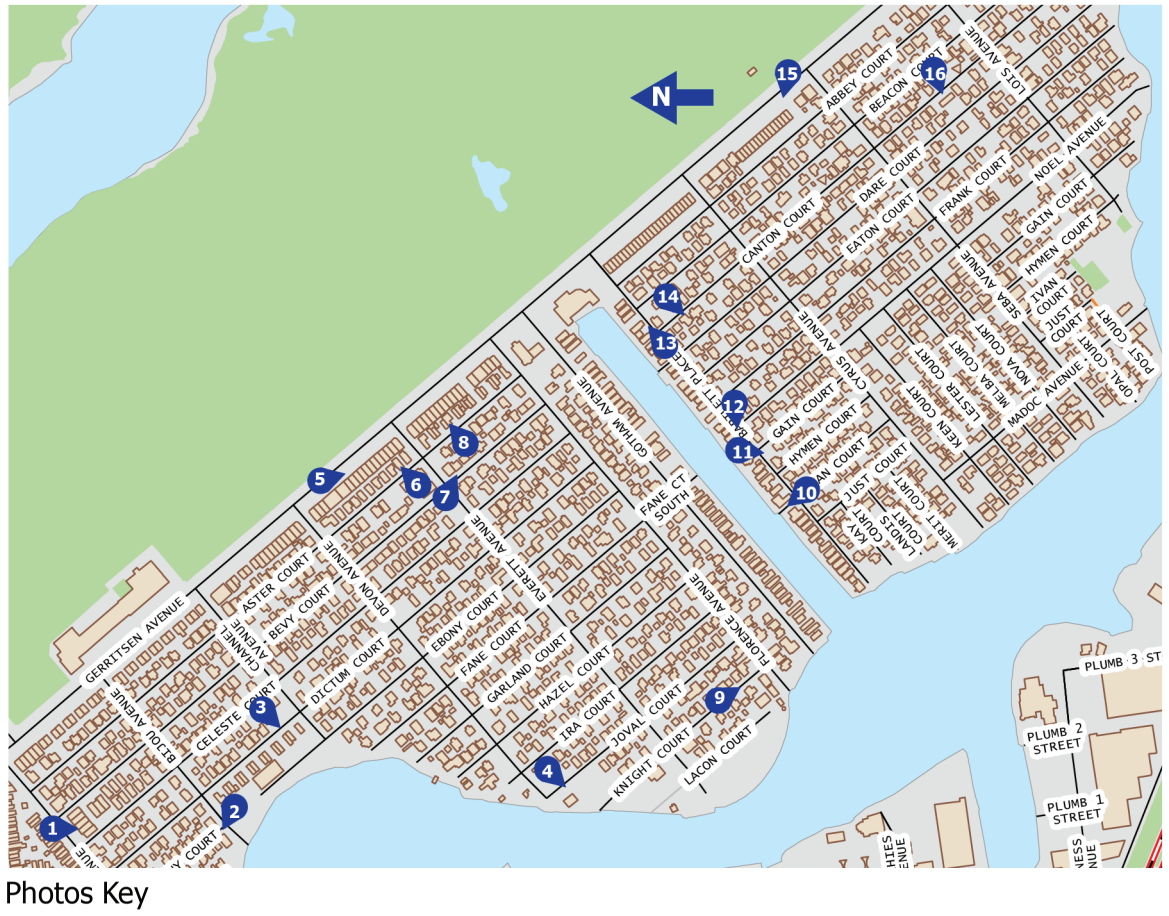


Photos Key

Resilient Neighborhoods: Gerritsen Beach
Project Area Photographs

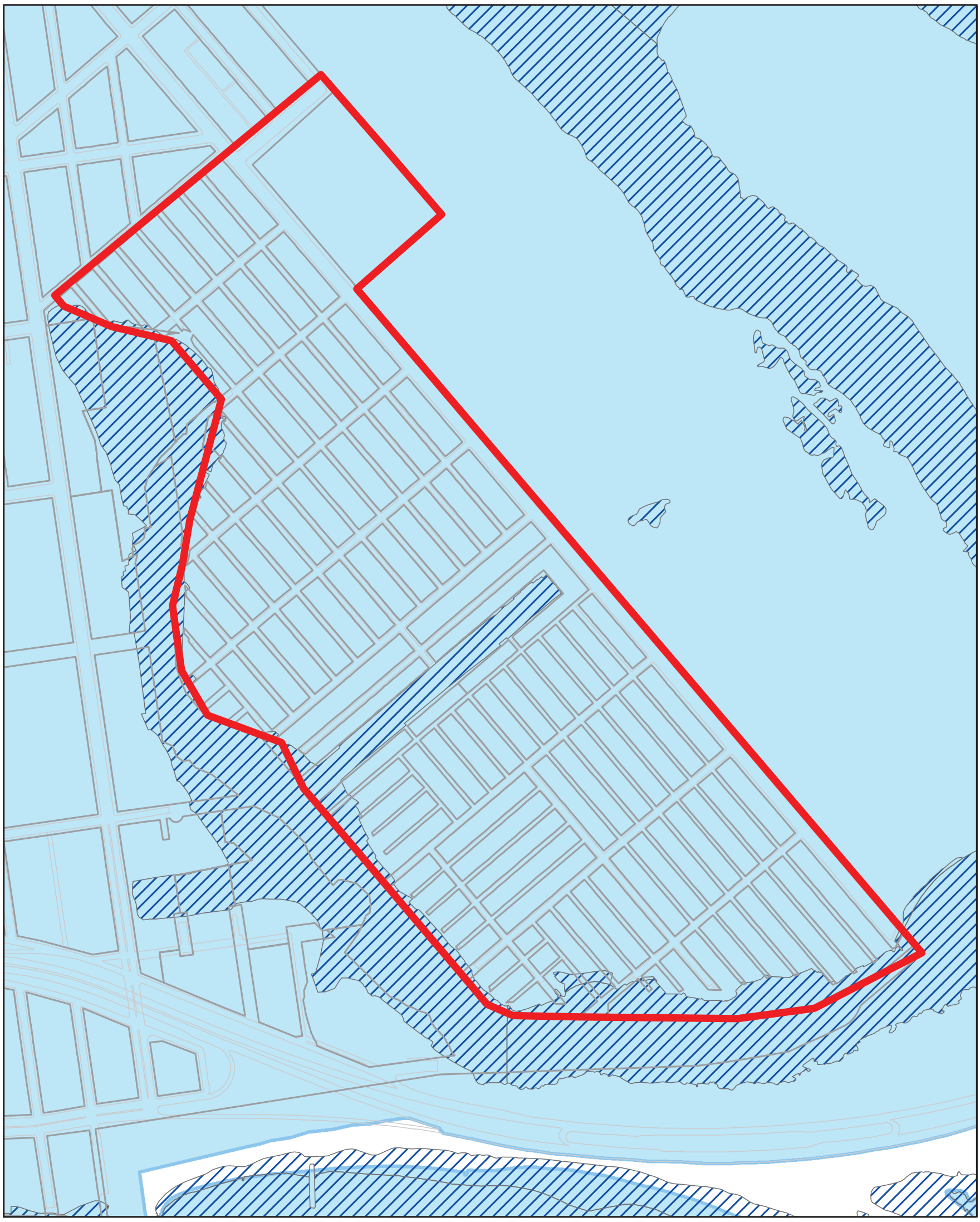


16. 36 Canton Court, facing west-southwest (06/21/2019)

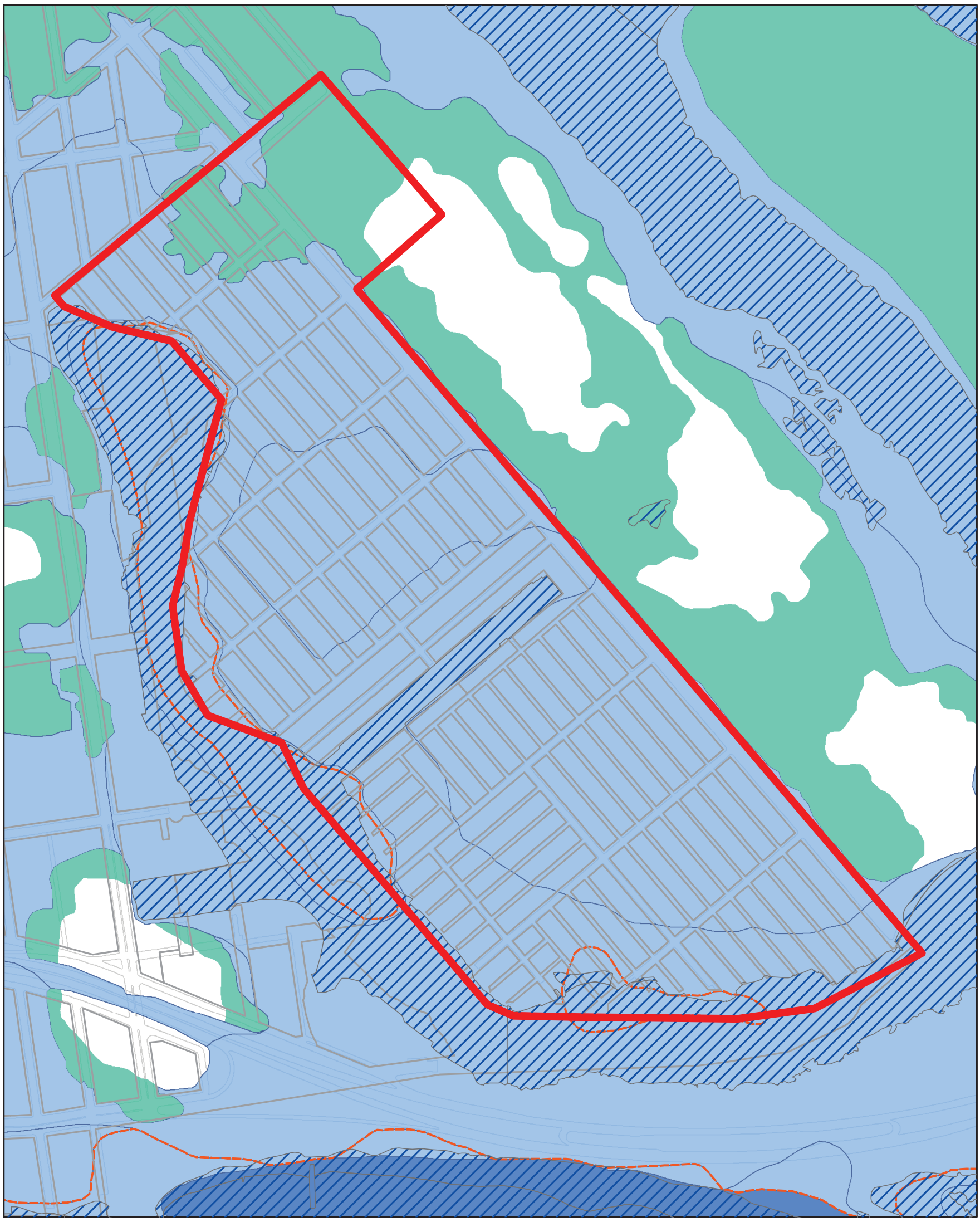


Photos Key

Appendix F: Coastal Zone



Appendix G: Preliminary Flood Insurance Rate Maps



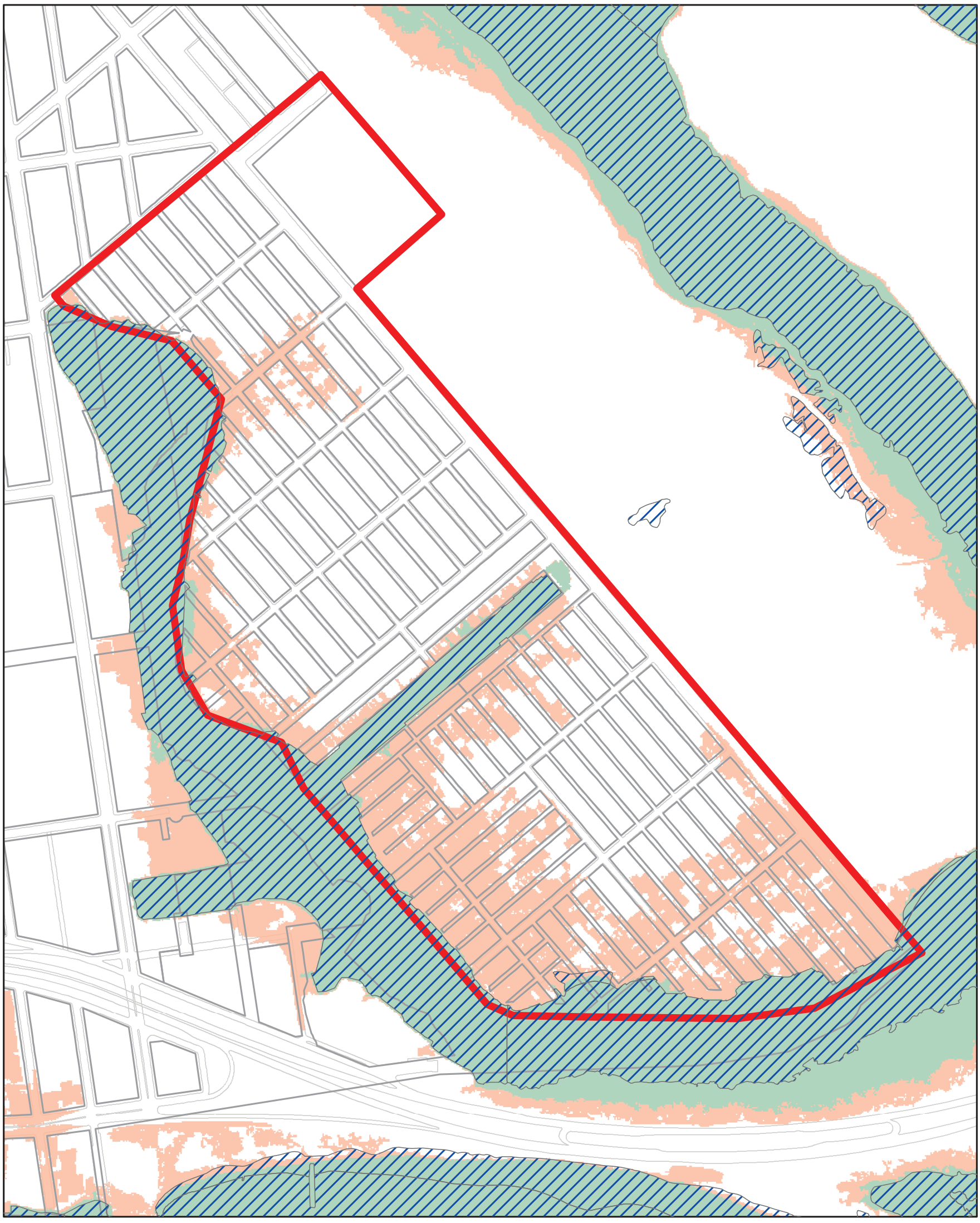
Gerritsen Beach Study Area
Tax Block
Water

0 250 500 1,000 1,500 2,000 Feet

PFIRM (2015) Flood Hazard Zone Areas:

Shaded X Zone
AE Zone
VE Zone
Subject to Wave Risk (LiMWA)

Appendix H: Beach Tidal Flooding



Appendix I: Zoning Change Map



Gerritsen Beach Study Area
Existing Zoning District/Line
Proposed Zoning District/Line
Eliminated Zoning District/Line
C2-3 Proposed
C1-2 Eliminated
C2-2 Eliminated
Proposed Special Coastal Risk District
Tax Block
Water

0 250 500 1,000 1,500 2,000 Feet

Resilient Neighborhoods: Gerritsen Beach
NYC Department of City Planning

Resilient Neighborhoods: Gerritsen Beach

Appendix J

Proposed Zoning Text Amendment

SPECIAL COASTAL RISK DISTRICT—GERRITSEN BEACH

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

* * *

ARTICLE XIII
SPECIAL PURPOSE DISTRICTS

* * *

Chapter 7
Special Coastal Risk District (CR)

* * *

137-11
District Plan and Maps

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

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

Map 2 #Special Coastal Risk District# 2 (CR-2), in Hamilton Beach, Community District 10, Borough of Queens

Map 3 #Special Coastal Risk District# 3 (CR-3), encompassing New York State Enhanced Buyout Areas in Graham Beach and Ocean Breeze, Community District 2, Borough of Staten Island

Map 4 #Special Coastal Risk District# 3 (CR-3), encompassing New York State Enhanced Buyout Areas in Oakwood Beach, Community District 3, Borough of Staten Island.

Map 5 #Special Coastal Risk District# 4 (CR-4), in Gerritsen Beach, Community District 15, Borough of Brooklyn.

137-12
Applicability of Special Regulations

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

SPECIAL REGULATIONS

#Special Coastal Risk District#	#Residential Use# (137-21)	#Community Facility Use# (137-22)	Modified #Bulk# Requirements (137-31)	Modifications to Article V (137-40)	Special Requirements (137-50)
CR–1 (Broad Channel, Queens)	x	x			
CR–2 (Hamilton Beach, Queens)	x	x	x		
CR–3 (buyout areas, Staten Island)	x	x		x	x
CR–4 (Gerritsen Beach, Brooklyn)	x	x	x		

137-20
SPECIAL USE REGULATIONS

The special #use# regulations of this Section 137-20, inclusive, shall apply in the #Special Coastal Risk Districts# as set forth in the table in Section 137-12 (Applicability of Special Regulations).

137-21
Residential Use

In #Special Coastal Risk Districts# 1 and 3, #residential uses# shall be limited to #single-family detached residences# ~~and #accessory uses# as set forth in Section 22-11 (Use Group 1)~~.

In #Special Coastal Risk District# 2, #residential uses# shall be limited to #single-# or #two-family detached residences# ~~and #accessory uses# as set forth in paragraphs A. and B. of Section 22-12 (Use Group 2)~~.

In #Special Coastal Risk District# 4, #residential uses# shall be permitted as follows:

(a) for #zoning lots# with a #lot area# of less than 3,000 square feet, #residential uses# shall be limited to #detached# or #semi-detached single-family residences#; and

(b) for #zoning lots# with a #lot area# of 3,000 square feet or more, #residential uses# shall be limited to #detached# or #semi-detached# #single-# or #two-family residences#.

The inclusion of #accessory residential uses# shall not be precluded by the provisions of this Section.

* * *

137-30
SPECIAL BULK REGULATIONS

* * *

137-32
Height and Setback Regulations

[Note: Proposed Section 64-333 is part of a separate land use application: Zoning for Coastal Flood Resiliency (N 210XXX ZRY)]

In #Special Coastal Risk District# 4, all #detached# or #semi-detached# #single-# or #two-family residences# shall be subject to the height and setback provisions set forth in Section 64-333 (Height and setback regulations for cottage envelope buildings).

137-40
SPECIAL APPLICABILITY OF ARTICLE V

* * *

APPENDIX
Special Coastal Risk District Plan

Map 5 – Special Coastal Risk District 4, in Gerritsen Beach, Community District 15, Borough of Brooklyn [date of adoption]

[PROPOSED MAP]



Resilient Neighborhoods: Gerritsen Beach

Appendix K
Waterfront Revitalization Program Consistency Assessment

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: Winston von Engel, Brooklyn Office Director

Address: 16 Court Street, 7th Floor, Brooklyn, NY 11241

Telephone: 718-780-8280 Email: wvoneng@planning.nyc.gov

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The New York City Department of City Planning (DCP) proposes an amendment to the Zoning Map and a text amendment to the Zoning Resolution that will affect all or portions of 20 tax blocks in Gerritsen Beach, Brooklyn Community District 15. The Gerritsen Beach rezoning area is generally bounded by Gerritsen Avenue and Marine Park to the northeast, Allen Avenue to the northwest, Plumb Beach Channel to the southwest, and Shell Bank Creek to the south and south east.

1. Establish a Gerritsen Beach Special Coastal Risk District in the 137-00 Special Coastal Risk District text to signal flood risk to the community and limit the density of future development.
2. Replace existing R4 and C3 zoning with R4-1 and C3A zoning to reinforce neighborhood character and current building patterns.
3. Replace existing C1-2 and C2-2 commercial overlays with C2-3 at reduced depth to allow appropriate uses on Gerritsen Avenue and lower parking requirement.

2. Purpose of activity

Gerritsen 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. Gerritsen Beach was studied, in part, because it is among the most vulnerable neighborhoods in the city to flooding. Gerritsen Beach faces flood hazards from storm surges generated from large storm events like Hurricane Sandy, and conditions of tidal flooding are likely to become more severe over time with projected sea level rise. Additionally, constrained street and drainage infrastructure exacerbate the risk and impacts of flooding in Gerritsen Beach. To reduce these flood risks and plan for adaptation over time, DCP seeks to deploy new zoning strategies in this neighborhood to limit future development and to signal flood risk. The proposed rezoning seeks to:

- Signal flood risk to the community and limit vulnerability by limiting the allowed density of future development.
- Ensure flood-resistant residential development reflects neighborhood scale by updating the building envelope to better match existing built context.
- Rationalize the limits of marine commercial zoning to limit uses and densities in the higher-risk waterfront area.
- Ensure commercial area zoning reflects existing development and allows for access to goods and services needed in the neighborhood

C. PROJECT LOCATION

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

Street Address: _____

Name of water body (if located on the waterfront): Shell Bank Creek, Plumb Beach Channel

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: Winston R. von Engel, Director, Brooklyn Office, NYC Dept. of City Planning

Address: 16 Court Street, 7th Floor, Brooklyn, NY 11241

Telephone: 718-780-8280 Email: wvoneng@planning.nyc.gov

Applicant/Agent's Signature: Winston R Von Engel

Date: Jan. 17, 2020

Appendix L: Waterfront Revitalization Program Consistency Determination

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From: Lucrecia Montemayor (DCP)
Sent: Monday, February 3, 2020 11:51 AM
To: Katherine Richard (DCP); Catherine Ferrara Iannitto (DCP)
Cc: Laura Kenny (DCP); Michael Marrella (DCP)
Subject: WRP Consistency Determination: Gerritsen Beach Special Coastal District (SCRD) (WRP#19-180)

Hello Kate & Catie,

We have completed the review of the project as described below for consistency with the policies and intent of the New York City Waterfront Revitalization Program (WRP).

Gerritsen Beach Special Coastal District proposed by NYC DCP. The project proposes an amendment to the Zoning Map and a text amendment to the Zoning Resolution that will affect all or portions of 20 tax blocks in Gerritsen Beach, Brooklyn, Community District 15. To reduce flood risks and plan for adaptation over time, DCP seeks to update applicable zoning code in this neighborhood to limit future development and to signal flood risk. The amendment aims to improve resiliency by rezoning from R4, C3, and C1-2/C2-2 commercial overlays to R4-1, C3A, and C2-3 commercial overlays, and by creating a new Special Coastal Risk District.

Based on the information submitted, the Waterfront Open Space Division, on behalf of the New York City Coastal Commission, having reviewed the waterfront aspect of this action, finds that the actions will not substantially hinder the achievement of any Waterfront Revitalization Program (WRP) policy and hereby determines the project consistent with the WRP policies.

This determination is only applicable to the information received and the current proposal. Any additional information or project modifications would require an independent consistency review.

For your records, this project has been assigned WRP# 19-180. If there are any questions regarding this review, please contact me.

Best,

LUCRECIA MONTEMAYOR SOLANO
ASSOCIATE WATERFRONT PLANNER

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Follow us on Instagram @NYCwaterfront
nyc.gov/waterfrontplan
Let us know what you envision for the future of NYC's waterfront **here.**

Resilient Neighborhoods: Gerritsen Beach

Appendix M
Jamaica Bay Watershed Protection Plan Project Tracking Form

Print Form

Jamaica Bay Watershed Protection Plan Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed (http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.

A. GENERAL PROJECT INFORMATION

1. CEQR Number: 21DCP051K 1a. Modification ☐
2. Project Name: Resilient Neighborhoods: Gerritsen Beach
3. Project Description:

The New York City Department of City Planning (DCP) proposes an amendment to the Zoning Map and a text amendment to the Zoning Resolution creating a Special Coastal Risk District, affecting all or portions of 20 tax blocks in Gerritsen Beach, Brooklyn Community District 15.

4. Project Sponsor: NYC Department of City Planning
5. Required approvals: ULURP ZM andZR
6. Project schedule (build year and construction schedule): Build year of 2030

B. PROJECT LOCATION:

1. Street address: See attached Site Data Sheet
2. Tax block(s): See attached Site Data Sheet Tax Lot(s): See attached Site Data Sheet
3. Identify existing land use and zoning on the project site: R4, C3, C1-2 and C2-2 commercial overlays
4. Identify proposed land use and zoning on the project site: ~~R4-1, R4, C3A, C2-3 commercial overlay, Special~~ Coastal Risk District
5. Identify land use of adjacent sites (include any open space): C3, M2-1, C8-1, C7, R3-2, Park
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
Low density residential and commercial	Low density residential and commercial with restricted new development to improve flood resiliency

7. Is project within 100 or 500 year floodplain (specify)? ☒ **100 Year** ☒ **500 Year** ☐ **No**

C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet): N/A
2. Will soil be removed (if so, what is the volume in cubic yards)? N/A
3. Subsurface soil classification:
   (per the New York City Soil and Water Conservation Board): UVA: Urban land-Verrazano complex, 0-3% slopes
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
6. Will project involve dewatering (list volumes/rates)? ☐ **Yes** ☒ **No**

   Volumes: Rates:
7. Describe site elevation above seasonal high groundwater:

D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ **Yes** ☒ **No**

   If YES,
   - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
   - **List** species to remain on site.
   - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☒ **Yes** ☐ **No**
3. Will the project affect habitat characteristics? ☐ **Yes** ☒ **No**

   If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at http://www.dec.ny.gov/animals/29392.html.
4. Will pesticides, rodenticides or herbicides be used during construction? ☐ **Yes** ☒ **No**

   If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☐ **Yes** ☒ **No**

   If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. ***Surface area:***		
Roof:	Buildings: 22.12%	Proposed changes limit and/or reduce density, over time potentially resulting in less roof area
Pavement/walkway:	Roads: 18.12%; other impervious surface: 35%	May eventually result in less walkway/ pavement on private property. Likely no change in roads.
Grass/softscape:	Grass/shrubs: 8.68%; tree canopy: 8.49%	May eventually result in increased grass/softscape.
Other (describe):	Bare soil: 0.53%	No proposed changes.
2. ***Wetland*** (regulated or non-regulated) area and classification:	Study area bounded by estuarine and marine deepwater wetlands. No state regulated wetlands.	Reduced density may over time result in in improved wetland functioning.
3. ***Water surface area:***	7.07% of study area. Study area is adjac -ent to waterbodies Shell Bank Creek and Plumb Beach Channel	No proposed changes.

4. ***Stormwater management*** (describe):

Existing – how is the site drained?

Separate sewer system. MS4 drainage area with 12 MS4 outfalls in the rezoning area.

Proposed – describe, including any infrastructure improvements necessary off-site:

No changes proposed

Appendix N: Landmarks Preservation Commission Letter

ENVIRONMENTAL REVIEW

Project number: 77DCP752K (DEPARTMENT OF CITY PLANNING)
Project: RESILIENT NBHD GERRITSEN BEACH
Date Received: 1/29/2020

Future discretionary actions resulting from this zoning action shall be submitted to LPC for review on a case-by-case basis. These actions will be reviewed by LPC under the terms of the CEQR Technical Manual.

Regarding architectural resources, any future discretionary actions will be reviewed on a case-by-case basis according to the CEQR Technical Manual, as it is impossible to predict whether or not significant adverse construction or shadow impacts may occur.

Pertaining to archaeological resources, the language needs to describe the future course of action in the case of future discretionary actions or on land owned or controlled by the city. Again, LPC will review these on a case-by-case basis according to the terms of the Technical Manual.



1/31/2020

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 34773_FSO_GS_01312020.docx