



IN THE MATTER OF an application submitted by New York City Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article XIII, Chapter 7 (Special Coastal Risk District) to establish the Special Coastal Risk District in the Borough of Queens, Community District 10.

This application for a zoning text amendment was filed by the New York City Department of City Planning on February 16, 2017, in conjunction with a related zoning map amendment (C 170255 ZMQ), which will affect all or portions of 22 tax blocks Hamilton Beach, Queens, Community District 10.

RELATED ACTION

In addition to the zoning text amendment that is the subject of this report (N 170267 ZRQ), implementation of the proposed plan also requires action by the City Planning Commission on the following application, which is being considered concurrently with this application:

C 170255 ZMQ Zoning map amendment to rezone all or portions of 22 blocks

BACKGROUND

A full background discussion and description of this project appears in the report on the related application for a zoning map amendment (C 170255 ZMQ).

ENVIRONMENTAL REVIEW

This application (N 170267 ZRQ) and the related application (C 170255 ZMQ) were reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et. seq. and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 17DCP115Q. The lead agency is the City Planning Commission.

A summary of the environmental review appears in the report on the related application (C 170255 ZMQ).

PUBLIC REVIEW

This application (N 170267 ZRQ) was duly referred to Community Board 10 and the Borough President in accordance with the procedures for non-ULURP actions on February 21, 2017, along with the related action (C 170255 ZMQ), which was certified as complete by DCP in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 10 held a public hearing on April 6, 2017 on this application (N 170267 ZRQ), and on that date, by a vote of 34 in favor, none opposed, and with no abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (N 170267 ZRQ) was considered by the Borough President, who issued a recommendation on May 19, 2017 to approve the application.

City Planning Commission Public Hearing

On May 10, 2017 (Calendar No. 12), the City Planning Commission scheduled May 24, 2017 for a public hearing on this application (C 170255 ZMQ). The hearing was duly held on May 24, 2017 (Calendar No. 30).

Two speakers testified in support of this application (N 170267 ZRQ). A full summary of the testimony appears in the report on the related application for a zoning map amendment (C 170255 ZMQ).

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (N 170267 ZRQ) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 *et seq.*) The designated WRP number is 17-015.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this application for a zoning text amendment (N 170267 ZRQ), in conjunction with the related application for a zoning map amendment (C 170255 ZMQ), is appropriate. A full consideration and analysis of the issues and the reasons for approving this application appear in the report on the related application for a zoning map amendment (C 170255 ZMQ).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, the City Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby amended by establishing a Special Coastal Risk District, Hamilton Beach subdistrict in Community District 10, Borough of Queens.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Article I: GENERAL PROVISIONS

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

* * *

11-122

Districts established

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

* * *

Special Purpose Districts

* * *

Establishment of the Special Clinton District

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

Establishment of the Special Coastal Risk District

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

Establishment of the Special College Point District

* * *

Chapter 2 – Construction of Language and Definitions

12-10

DEFINITIONS

* * *

Special Clinton District

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

Special Coastal Risk District

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

Special College Point District

* * *

Article XIII - SPECIAL PURPOSE DISTRICTS

Chapter 7

Special Coastal Risk District

137-00

GENERAL PURPOSES

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

- (a) to limit the population in areas that are vulnerable to frequent flooding, including those areas exceptionally at risk from projected future tidal flooding;
- (b) to reduce the potential for property damage and disruption from regular flood events and support the City’s capacity to provide infrastructure and services;
- (c) to promote consistency with planned improvements, neighborhood plans, and other measures to promote drainage, coastal protection, open space and other public purposes; and
- (d) to promote the most desirable use of land and thus conserve the value of land and buildings, and thereby protect the City’s tax revenue.

137-10

GENERAL PROVISIONS

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

137-11

District Plan and Map

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

137-12

Applicability of Special Regulations

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

Special Regulations for the #Special Coastal Risk District#

<u>#Special Coastal Risk District#</u>	<u>#Residential Use# (137-21)</u>	<u>#Community Facility Use# (137-22)</u>	<u>Modified #Bulk# Requirements (137-31)</u>
<u>CR-1 (Hamilton Beach, Queens)</u>		<u>X</u>	<u>X</u>

137-20

SPECIAL USE REGULATIONS

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

137-21

Community Facility Use

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

137-30

SPECIAL BULK REGULATIONS

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

137-31

Minimum Lot Width

In #Special Coastal Risk Area# 1, the regulations of Section 23-32 (Minimum Lot Area or Lot Width for Residences) are modified such that the minimum #lot width# for a #two-family detached residence# in an R3A District shall be 40 feet.

Appendix

Special Coastal Risk District Plan

Map 1 - #Special Coastal Risk District# 1, in Hamilton Beach, Community District 10, Borough of Queens



[new text map to be added]

* * *

The above resolution (N 170267 ZRQ), duly adopted by the City Planning Commission on June 7, 2017 (Calendar No. 16) is filed with the Office of the Speaker, City Council, and the Borough President in accordance with requirements of Section 197-d of the New York City Charter.

MARISA LAGO, *Chair*

KENNETH J. KNUCKLES, Esq., *Vice Chairman*

**RAYANN BESSER, ALFRED C. CERULLO, III, MICHELLE DE LA UZ,
JOSEPH DOUEK, RICHARD W. EADDY, CHERYL COHEN EFFRON, HOPE KNIGHT,
ANNA HAYES LEVIN, ORLANDO MARÍN, LARISA ORTIZ**, *Commissioners*



ELIZABETH BRATON
Chairperson

COMMUNITY BOARD 10

CITY OF NEW YORK ♦ BOROUGH OF QUEENS
115-01 LEFFERTS BOULEVARD
SOUTH OZONE PARK, N.Y. 11420
TEL: (718) 843-4488
FAX: (718) 738-1184
E-MAIL: cb10qns@nyc.rr.com



KARYN PETERSEN
District Manager

April 7, 2017

Melissa Herlitz
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Dear Melissa:

Community Board 10 worked with the Department of City Planning in developing the Hamilton Beach Rezoning. The specific community is represented by the New Hamilton Beach Civic Association. They were kept apprised throughout the process and fully supported the provisions of this rezoning. Community Board 10's Land Use Committee met and reviewed the proposal. The recommendation of the committee was that the Board recommend approval with no conditions.

At the April 6, 2017 Community Board 10 Meeting the Board voted unanimously to approve the Hamilton Beach Rezoning. The vote was as follows; 34 were in favor, 0 abstaining, 0 opposing. One member recused himself due to a conflict of interest. Community Board 10 has a total of 44 members.

Very truly yours,

Elizabeth Braton
EB:mat

Cc: M. John Young, Director
Queens Borough Office, NYC Dept. of City Planning

Mr. Irving Poy
Queens Borough President's Office

NOTICE OF CERTIFICATION
Pursuant to the Uniform Land Use Review Procedure

Application #: **C 170255 ZMQ**

CEQR Number: 17DCP115Q

Project Name: **Hamilton Beach**

Borough(s): **Queens**

Community District Number(s): **10**

Please use the above application number on all correspondence concerning this application

Docket Description:

SEE ATTACHED

Received

MAR - 2 2017

Community Board 10

At the April 6, 2017 Community Board Meeting
the Board voted Unanimously to approve The
Hamilton Beach Rezoning.

Related
Applications:

N 170267 ZRQ

Applicant(s):

Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Applicant's Representative:

John D. Young, Director
Queens Borough Office
NYC Department of City Planning
120-55 Queens Boulevard, Room 201
Kew Gardens, NY 11424

Contact:

Address questions about this application to the following DCP office:

DEPARTMENT OF CITY PLANNING
Queens Office

Address: 120-55 Queens Blvd., Room 201, Kew Gardens NY 11424

Phone: 718-520-2100

Fax: 718-520-2096

Public Review Timeline:

On **February 21, 2017** the above listed application was certified as complete by the Department of City Planning. The period for community board review begins on **March 2, 2017** and must be completed by **May 1, 2017**

Application #: **C 170255 ZMQ**

CEQR Number: 17DCP115Q

Project Name: **Hamilton Beach**

Borough(s): **Queens**

Community District Number(s): **10**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Return this completed page at least fourteen (14) days before the scheduled hearing date by one of the following options:

- **EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include in the subject line: (CB or BB) Public Hearing Notice + (6-digit application number), e.g., "CB Public Hearing Notice #C100000ZSQ"
- **MAIL:** Calendar Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
- **FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"

2. Send one copy to the applicant's representative at the address listed below at least (10) days before the scheduled hearing date.

Docket Description:

SEE ATTACHED

*At the April 6, 2017 Community Board 10 monthly Meeting,
the Board Voted Unanimously to approve the
Hamilton Beach Rezoning*

Applicant(s): Department of City Planning 120 Broadway, 31st Floor New York, NY 10271		Applicant's Representative: John D. Young, Director Queens Borough Office NYC Department of City Planning 120-55 Queens Boulevard, Room 201 Kew Gardens, NY 11424
Contact: Address questions about this application to the following DCP office: DEPARTMENT OF CITY PLANNING Queens Office Address: 120-55 Queens Blvd., Room 201, Kew Gardens NY 11424 Phone: 718-520-2100 Fax: 718-520-2096		
Notification submitted by: Queens Community Board 10		
Date of Public Hearing: 4/6/17		Time: 7:45pm
Hearing Location: <i>Knights of Columbus Hall 135-45 Lefferts Blvd, S. Ozone Park, NY 11420</i>		
Name of CB/BB officer completing this form <i>Elizabeth Braton</i>	Title <i>Chairman</i>	Date <i>4/7/17</i>

Application #: **C 170255 ZMQ**

Project Name: **Hamilton Beach**

CEQR Number: 17DCP115Q

Borough(s): **Queens**

Community District Number(s): **10**

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
 - EMAIL (recommended):** Send email to CalendarOffice@planning.nyc.gov and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
 - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

SEE ATTACHED

at the April 6, 2017 Community Board 10 monthly Meeting, the Board voted unanimously to approve the Hamilton Beach Rezoning.

Applicant(s): Department of City Planning 120 Broadway, 31st Floor New York, NY 10271		Applicant's Representative: John D. Young, Director Queens Borough Office NYC Department of City Planning 120-55 Queens Boulevard, Room 201 Kew Gardens, NY 11424	
Recommendation submitted by: Queens Community Board 10			
Date of public hearing: 4/6/17		Location: KNIGHTS OF COLUMBUS Hall 135-45 Lefferts Blvd South Ozone Park, NY 11420	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: 4/6/17		Location: KNIGHTS OF COLUMBUS Hall 135-45 Lefferts Blvd, S. Ozone Park, NY 11420	
RECOMMENDATION <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
Voting # In Favor: 34 # Against: 0 # Abstaining: 0 Total members appointed to the board: 44			
Name of CB/BB officer completing this form <i>Elyse Braton</i>		Title <i>Chairperson</i>	Date 4/7/17

Queens Borough President Recommendation

APPLICATION: ULURP #170267 ZRQ

COMMUNITY BOARD: Q10

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the NYC Department of City Planning, pursuant to Section 200 of the NYC Charter, for a zoning text amendment establishing Special Coastal Risk Districts and designation of Special Coastal Risk District #1 in Hamilton Beach, Community District 10 to promote and protect public health, safety and general welfare in coastal areas that are currently at exceptional risk from flooding and may face greater risk in the future. (Related application: ULURP #170255 ZMQ)

This Public Hearing is being held pursuant to Section 82(5) of the New York City Charter and has been duly advertised in the manner specified in Section 197 (c)(l) of the New York City Charter.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on Thursday, April 27, 2017, at 10:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There were no other speakers. The hearing was closed.

CONSIDERATION

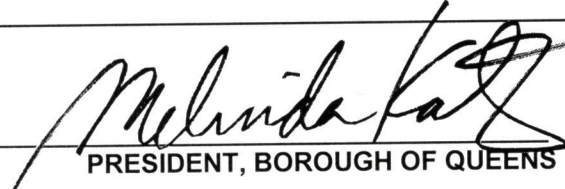
Subsequent to a review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- The Department of City Planning (DCP) filed this application establishing the Hamilton Beach Special Coastal Risk District. The provisions of the special district identify Hamilton Beach as a flood prone area, with specific bulk and use regulations tailored to reflect the existing built conditions of the area, and to limit future flood damage potential.;
- This application was filed concurrently with the Hamilton Beach Resiliency Rezoning affecting all or portions of 22-blocks. The objectives of the rezoning are to reinforce the existing neighborhood character with a contextual R3A district which allows detached buildings, reduce vulnerability to future sea level rise and storms, and to limit growth in this historically flood prone area.;
- The rezoning and establishment of the special district was formulated by DCP in conjunction with an ongoing citywide interagency initiative addressing future flood resiliency and recovery from Hurricane Sandy. There have been many meetings throughout the boroughs with the elected officials, community and civic organizations. The Borough President's Hurricane Task Force meets regularly with the involved city agencies to discuss and address issues with the recovery and future protective measures.;
- Community Board 10 (CB 10) approved this application by a vote of thirty-four (34) in favor with none (0) against and one (1) abstention at a public meeting held on April 6, 2017.

RECOMMENDATION

The Mayor and several city agencies have made a concerted effort to recover from damage caused by Hurricane Sandy and to prepare for the effects of future sea level rise. The work done so far was greatly needed and appreciated. I look forward to working with the Mayor and all involved agencies in the continued effort needed to limit and safeguard Queens and New York City from future flooding and related impacts.

Based on the above consideration, I hereby recommend approval of this application



PRESIDENT, BOROUGH OF QUEENS

May 19, 2017
DATE