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**IN THE MATTER OF** an application submitted by the 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 14.

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This application for a zoning text amendment was filed by the New York City Department of City Planning on February 15, 2017, in conjunction with a related zoning map amendment (C 170256 ZMQ), which will affect all or portions of 60 tax blocks in Broad Channel, Queens, Community District 14.

### **RELATED ACTION**

In addition to the zoning text amendment (N 170257 ZRQ) that is the subject of this report, 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 170256 ZMQ**      Zoning map amendment to rezone all or portions of 60 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 170256 ZMQ).

### **ENVIRONMENTAL REVIEW**

This application (N 170257 ZRQ) and the related application (C 170256 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 17DCP114Q. The lead agency is the City Planning Commission.

A summary of the environmental review appears in the report on the related application (C 170256 ZMQ).

## **PUBLIC REVIEW**

This application (N 170257 ZRQ) was duly referred to Community Board 14 and the Borough President in accordance with the procedures for non-ULURP actions on February 21, 2017, along with the related action (C 170256 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 14 held a public hearing on April 19, 2017 on this application (N 170257 ZRQ) and on that date, by a vote of 25 in favor, none opposed, and with no abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application (N 170257 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. 10), the City Planning Commission scheduled May 24, 2017 for a public hearing on this application (N 170257 ZRQ). The hearing was duly held on May 24, 2017 (Calendar No. 28).

There were no speakers and the hearing was closed.

## **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW**

This application (N 170257 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 17-014.

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 170257 ZRQ), in conjunction with the related application for a zoning map amendment (C 170256 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 170256 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 Costal Risk District and a Broad Channel subdistrict in Community District 14, 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#</u> (137-21)	<u>#Community Facility Use#</u> (137-22)	<u>Modified #Bulk# Requirements</u> (137-31)
<u>CR-1</u> <u>(Broad Channel, Queens)</u>	X	X	

## **137-20**

### **SPECIAL USE REGULATIONS**

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

## **137-21**

### **Residential Use**

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

## **137-22**

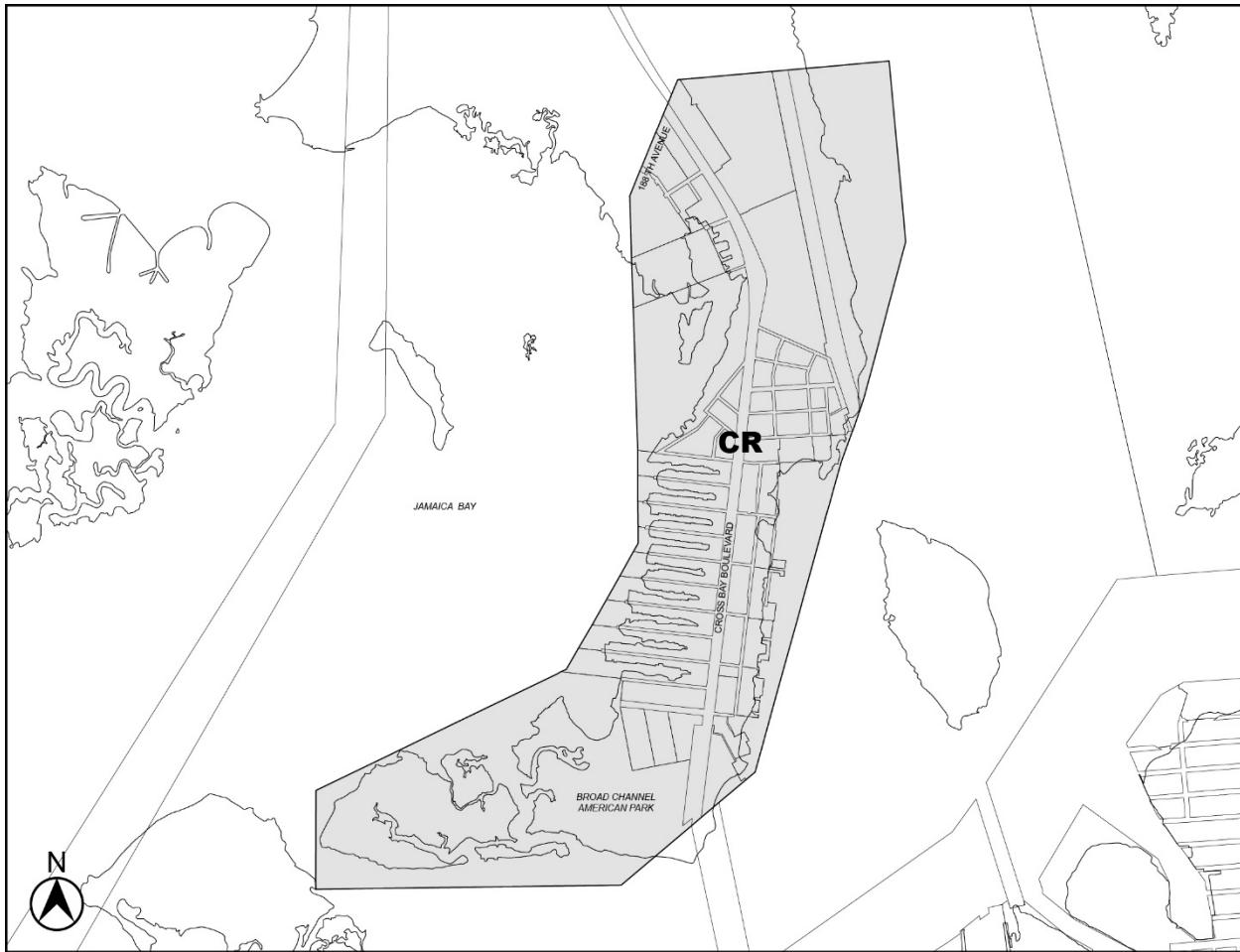
### **Community Facility Use**

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

## **Appendix**

### **Special Coastal Risk District Plan**

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



[new text map to be added]

\* \* \*

The above resolution (N 170257 ZRQ), duly adopted by the City Planning Commission on June 7, 2017 (Calendar No. 14) 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**

Application #: **C 170256 ZMQ**Project Name: **Broad Channel**

CEQR Number: 17DCP114Q

Borough(s): **Queens**

Community District Number(s): 14

*Please use the above application number on all correspondence concerning this application***SUBMISSION INSTRUCTIONS**

1. 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](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BPI Recommendation + (6-digit application number), e.g. "CB Recommendation #C100000ZSO"
  - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271
  - **FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
2. 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.

VOTE The SAME  
for BOTH BC  
Res. by items

: 70256 ZMQ  
1 70257 ZRQ

Applicant(s): Department of City Planning 120 Broadway, 31st Floor New York, NY 10271	Applicant's Representative: John D. Young NYC Department of City Planning Queens Office 120-55 Queens Boulevard, Room 201 Kew Gardens, New York 11424	
Recommendation submitted by: <u>Jonathan Gaska</u>		
Date of public hearing: <u>4/19/17</u>	Location: <u>Knights of columbus hall 333 Beach 90 st</u>	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	A public hearing requires a quorum of 28% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: <u>4/19/17</u>	Location: <u>Knights of columbus</u>	
<b>RECOMMENDATION</b>		
<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove	<input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove With Modifications/Conditions	
<u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u>		
Voting # In Favor: <u>25</u> # Against: <u>0</u> # Abstaining: <u>0</u> Total members appointed to the board: <u>47</u>		
Name of CB/BB officer completing this form <u>John Gaska</u>	Title <u>Detrct Mgr</u>	Date <u>4/20/17</u>

# Queens Borough President Recommendation

APPLICATION: ULURP #170257 ZRQ

COMMUNITY BOARD: Q14

## 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 Broad Channel, Community District 14 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 #170256 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) has been filed to establish the Broad Channel Special Coastal Risk District. The provisions of the special district identify Broad Channel as a flood prone area, with specific bulk and use regulations tailored to reflect the existing built condition of the area, dependence on water-related uses and to limit future flood damage potential;
- A related application the Broad Channel Resiliency Rezoning affecting all or portions of 60 tax-blocks. The objectives of the rezoning are to reinforce the existing neighborhood character with contextual R3A and C3A districts zoning for detached buildings, reduce vulnerability to future sea level rise and storms, dependence on water-related uses and to limit future flood damage potential.;
- 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 and has been briefed on the findings and recommendations of the citywide effort and the proposed rezoning.;
- Community Board 14 unanimously approved this application by a vote of twenty-five (25) in favor and none (0) against or abstaining at a public meeting held on April 19, 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