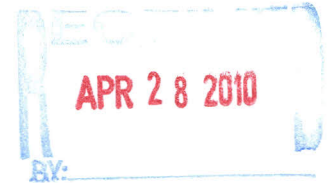




DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, FAICP, *Director*  
Department of City Planning



**CITY ENVIRONMENTAL QUALITY REVIEW**

April 23, 2010

To: Gail Benjamin, City Council, Land Use Review Division  
All Borough Presidents  
All Community Boards

Re: **Car Share Text Amendment**  
CEQR No. 10DCP032Y  
ULURP No. N100284ZRY

**NOTICE OF RECEIPT**

The attached Environmental Assessment Statement, which has been submitted to the Department of City Planning to be reviewed under 6 NYCRR Part 617, is being forwarded to you for your information.

If you have any questions concerning this application, please contact Justin Jarboe at the Environmental Assessment and Review Division at (212) 720-3567.

Please use the CEQR reference number on all correspondences related to this application.

Robert Dobruskin

Robert Dobruskin, AICP, *Director*  
Celeste Evans, *Deputy Director*  
22 Reade Street, New York, N.Y. 10007-1216 Room 4E  
Phone (212) 720-3420 Fax (212) 720-3495  
rdobrus@planning.nyc.gov



# City Environmental Quality Review

## ENVIRONMENTAL ASSESSMENT STATEMENT

### PART I, GENERAL INFORMATION

#### Reference Numbers

1. CEQR No. 10DCP031Y

CEQR REFERENCE NUMBER (TO BE ASSIGNED BY LEAD AGENCY)

ULURP No. N100284ZRY

ULURP REFERENCE NO. IF APPLICABLE

BSA REFERENCE NO. IF APPLICABLE

OTHER REFERENCE NO(S) IF APPLICABLE  
(e.g. Legislative Intro, CAPA, etc)

#### Lead Agency & Applicant Information

PROVIDE APPLICABLE  
INFORMATION

2a. Lead Agency  
New York City Department of City Planning

NAME OF LEAD AGENCY

Robert Dobruskin, AICP, Director, EARD

NAME OF LEAD AGENCY CONTACT PERSON

22 Reade Street

ADDRESS

New York City NY 10007

CITY STATE ZIP

(212) 720-3423 (212) 720-3491

TELEPHONE FAX

rdobrus@planning.nyc.gov

EMAIL ADDRESS

2b. Applicant Information  
New York City Department of City Planning

NAME OF APPLICANT

Thomas Wargo, Director Zoning Divison

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

22 Reade Street

ADDRESS

New York City NY 10007

CITY STATE ZIP

(212) 720-3262 (212) 720-3244

TELEPHONE FAX

twargo@planning.nyc.gov

EMAIL ADDRESS

#### Action Description

SEE CEQR MANUAL  
SECTIONS 2A & 2B

3a. NAME OF PROPOSAL Car Share Parking Text Amendment

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):

DCP is proposing a text amendment to Article 1 Chapter 2 (12-10); Article 1 Chapter 3 (13-012, 13-14, 13-42, 13-144, 13-551, 13-561); Article 2 Chapter 2 (22-323); Article 2 Chapter 5 (25-412, 25-42, 25-68); Article 3 Chapter 6 (36-46, 36-51, 36-52, 36-523); Article 4 Chapter 4 (44-35, 44-41, 44-42). These changes would allow car share vehicles to park in parking facilities accessory to residential, commercial and manufacturing use and in public parking lots and garages. The car share spaces would not be considered a commercial use.

See attached EAS, "Project Description" Section, for further information.

3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S):

The purpose of this proposal is to alleviate any ambiguity about the permissibility of car sharing and to establish clear and appropriate guidelines for such facilities with this zoning text amendment.

See attached EAS, "Purpose and Need" Section, for further information.

## Required Action or Approvals

4. CITY PLANNING COMMISSION ☒ Yes ☐ No  
☐ Change in City Map ☐ Zoning Certification ☐ Site Selection - Public Facility  
☐ Zoning Map Amendment ☐ Zoning Authorization ☐ Disposition - Real Property ☐ Franchise  
☒ Zoning Text Amendment ☐ Housing Plan & Project ☐ UDAAP ☐ Revocable Consent ☐ Concession  
☐ Charter 197-a Plan  
☐ Zoning Special Permit, specify type:  
☐ Modification of  
☐ Renewal of  
☐ Other

5. UNIFORM LAND USE PROCEDURE (ULURP) ☐ Yes ☒ No

6. BOARD OF STANDARDS AND APPEALS ☐ Yes ☒ No

☐ Special Permit ☐ New ☐ Renewal ☐ Expiration Date  
☐ Variance ☐ Use ☐ Bulk

Specify affected section(s) of Zoning Resolution

7. DEPARTMENT OF ENVIRONMENTAL PROTECTION ☐ Yes ☒ No

☐ Title V Facility ☐ Power Generation Facility ☐ Medical Waste Treatment Facility

8. OTHER CITY APPROVALS ☐ Yes ☒ No

☐ Legislation ☐ Rulemaking; specify agency:

☐ Construction of Public Facilities ☐ Funding of Construction, Specify ☐ Funding of Programs, Specify

☐ Policy or plan ☐ Permits, Specify:

Other; explain: \_\_\_\_\_

9. STATE ACTIONS/APPROVALS/FUNDING ☐ Yes ☒ No

If "Yes," identify \_\_\_\_\_

10. FEDERAL ACTIONS/APPROVALS/FUNDING ☐ Yes ☒ No

If "Yes," identify \_\_\_\_\_

- 11a. Unlisted; or ☒ Type I; specify category (see 6 NYCRR 617.4 and NYC Executive Order 91 OF 1977, as amended):

617.4 (9). The proposed action is city-wide and affects city and state historic districts.

- 11b. ☐ Localized action, site specific ☐ Localized action, change in regulatory control for small area ☐ Generic action

12. Identify the analysis year (or build year) for the proposed action: 2010

Would the proposal be implemented in a single phase? ☐ Yes ☐ No ☒ NA.

Anticipated period of construction: \_\_\_\_\_

Anticipated completion date: \_\_\_\_\_

Would the proposal be implemented in multiple phases? ☐ Yes ☐ No ☒ NA.

Number of phases: \_\_\_\_\_

Describe phases and construction schedule: \_\_\_\_\_

- 13a. LOCATION OF PROJECT SITE

City-wide

STREET ADDRESS

N/A

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

N/A

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY

All Zoning Districts

ZONING SECTIONAL MAP NO.

TAX BLOCK AND LOT NUMBERS

BOROUGH

COMMUNITY DISTRICT NO.

- 13b. PHYSICAL DIMENSIONS AND SCALE OF PROJECT

TOTAL CONTIGUOUS SQUARE FEET OWNED OR CONTROLLED BY PROJECT SPONSOR: N/A

N/A

SQ. FT.

PROJECT SQUARE FEET TO BE DEVELOPED: N/A

SQ. FT.

GROSS FLOOR AREA OF PROJECT: N/A

SQ. FT.

IF THE ACTION IS AN EXPANSION, INDICATE PERCENT OF EXPANSION PROPOSED N/A

% OF

DIMENSIONS (IN FEET) OF LARGEST PROPOSED STRUCTURE: N/A

HEIGHT

WIDTH

LENGTH

LINEAR FEET OF FRONTAGE ALONG A PUBLIC THOROUGHFARE: N/A

N/A

PLEASE NOTE THAT  
MANY ACTIONS ARE  
NOT SUBJECT TO  
CEQR. SEE SECTION 110  
OF TECHNICAL  
MANUAL

## Action Type

## Analysis Year

## Directly Affected Area

INDICATE LOCATION OF  
PROJECT SITE FOR  
ACTIONS INVOLVING A  
SINGLE SITE ONLY  
(PROVIDE  
ATTACHMENTS AS  
NECESSARY FOR  
MULTIPLE SITES)

- 13c.** IF THE ACTION WOULD APPLY TO THE ENTIRE CITY OR TO AREAS THAT ARE SO EXTENSIVE THAT A SITE-SPECIFIC DESCRIPTION IS NOT APPROPRIATE OR PRACTICABLE, DESCRIBE THE AREA LIKELY TO BE AFFECTED BY THE ACTION:
- The proposed text amendment is city-wide would allow car share vehicles to park in certain accessory parking facilities and in public parking garages and lots. The regulations would apply to existing and new accessory parking garages and public parking garages in all zoning districts.
- 13d.** DOES THE PROPOSED ACTION INVOLVE CHANGES IN REGULATORY CONTROLS THAT WOULD AFFECT ONE OR MORE SITES NOT ASSOCIATED WITH A SPECIFIC DEVELOPMENT? ☐ Yes ☒ No
- IF 'YES', IDENTIFY THE LOCATION OF THE SITES PROVIDING THE INFORMATION REQUESTED IN 13a & 13b ABOVE.



## PART II, Site Description

EXCEPT WHERE OTHERWISE INDICATED, ANSWER THE FOLLOWING QUESTIONS WITH REGARD TO THE DIRECTLY AFFECTED AREA. THE DIRECTLY AFFECTED AREA CONSISTS OF THE PROJECT SITE AND THE AREA SUBJECT TO ANY CHANGE IN REGULATORY CONTROLS.

all:

### SITE AND ACTION DESCRIPTION

See attached EAS, "Project Description" Section, for further information.

1. **GRAPHICS** Please attach: (1) a Sanborn or other land use map; (2) a zoning map; and (3) a tax map. On each map, clearly show the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. The maps should not exceed 8½ x 14 inches in size.

2. **PHYSICAL SETTING** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): \_\_\_\_\_

Water surface area (sq. ft.): \_\_\_\_\_

Roads, building and other paved surfaces (sq. ft.): \_\_\_\_\_

Other, describe (sq. ft.): \_\_\_\_\_

3. **PRESENT LAND USE\*\***

Residential

No. of low-to-moderate income units \_\_\_\_\_ No. of stories \_\_\_\_\_ Gross floor area (sq. ft.) \_\_\_\_\_

Describe type of residential structures: \_\_\_\_\_

Commercial

No. of bldgs \_\_\_\_\_

Gross floor area of each building (sq. ft.): \_\_\_\_\_

Office: No. of bldgs \_\_\_\_\_

Gross floor area of each building (sq. ft.): \_\_\_\_\_

Other: No. of bldgs \_\_\_\_\_

Gross floor area of each building (sq. ft.): \_\_\_\_\_

Specify type(s): \_\_\_\_\_

No. of stories and height of each building: \_\_\_\_\_

Manufacturing/Industrial

No. of bldgs \_\_\_\_\_

Gross floor area of each building (sq. ft.): \_\_\_\_\_

No. of stories and height of each building: \_\_\_\_\_

Type of use(s): \_\_\_\_\_

Open storage area (sq. ft.) \_\_\_\_\_

If any unenclosed activities, specify: \_\_\_\_\_

Community facility

Type of community facility: \_\_\_\_\_

No. of bldgs \_\_\_\_\_

Gross floor area of each building (sq. ft.): \_\_\_\_\_

No. of stories and height of each building: \_\_\_\_\_

Vacant land

Is there any vacant land in the directly affected area? ☐ Yes ☐ No

If yes, describe briefly: \_\_\_\_\_

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area? ☐ Yes ☐ No

If yes, describe briefly: \_\_\_\_\_

Does the directly affected area include any mapped City, State or Federal parkland? ☐ Yes ☐ No

If yes, describe briefly: \_\_\_\_\_

Does the directly affected area include any mapped or otherwise known wetland? ☐ Yes ☐ No

If yes, describe briefly: \_\_\_\_\_

Other land use

No. of stories \_\_\_\_\_

Gross floor area (sq. ft.) \_\_\_\_\_

Type of use: \_\_\_\_\_

4. **EXISTING PARKING**

Garages

No. of public spaces: \_\_\_\_\_

No. of accessory spaces: \_\_\_\_\_

Operating hours: \_\_\_\_\_

Attended or non-attended? \_\_\_\_\_

Lots

No. of public spaces: \_\_\_\_\_

No. of accessory spaces: \_\_\_\_\_

Operating hours: \_\_\_\_\_

Attended or non-attended? \_\_\_\_\_

Other

5. **EXISTING STORAGE TANKS**

Gas or service stations? ☐ Yes ☐ No

Oil storage facility? ☐ Yes ☐ No

Other? ☐ Yes ☐ No

If yes, specify: \_\_\_\_\_

Number and size of tanks: \_\_\_\_\_

Last NYFD inspection date: \_\_\_\_\_

Location and depth of tanks: \_\_\_\_\_

## 6. CURRENT USERS

No. of residents: \_\_\_\_\_ No. and type of businesses: \_\_\_\_\_  
No. and type of workers by businesses: \_\_\_\_\_ No. and type of non-residents who are not workers: \_\_\_\_\_

## 7. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)

Answer the following two questions with regard to the directly affected area, lots abutting that area, lots along the same blockfront or directly across the street from the same blockfront, and, where the directly affected area includes a corner lot, lots which front on the same street intersection.

Do any of the areas listed above contain any improvement, interior landscape feature, aggregate of landscape features, or archaeological resource that:

- (a) has been designated (or is calendared for consideration as) a New York City Landmark, Interior Landmark or Scenic Landmark;
- (b) is within a designated New York City Historic District;
- (c) has been listed on, or determined eligible for, the New York State or National Register of Historic Places;
- (d) is within a New York State or National Register Historic District; or
- (e) has been recommended by the New York State Board for listing on the New York State or National Register of Historic Places?

Identify any resource:

Do any of the areas listed in the introductory paragraph above contain any historic or archaeological resource, other than those listed in response to the previous question? Identify any resource.

## 8. WATERFRONT REVITALIZATION PROGRAM

Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? ☐ Yes ☐ No  
(A map of the boundaries can be obtained at the Department of City Planning bookstore.)

If yes, append a map showing the directly affected area as it relates to such boundaries. A map requested in other parts of this form may be used.

## 9. CONSTRUCTION

Will the action result in demolition of or significant physical alteration to any improvement? ☐ Yes ☐ No

If yes, describe briefly:

Will the action involve either above-ground construction resulting in any ground disturbance or in-ground construction?

☐ Yes ☐ No If yes, describe briefly:

## 10. PROPOSED LAND USE

Residential

Total no. of dwelling units \_\_\_\_\_

No. of low-to-moderate income units \_\_\_\_\_ Gross floor area (sq. ft.) \_\_\_\_\_

No. of stories \_\_\_\_\_ Describe type of residential structures:

Commercial

Retail: The car share spaces would not be considered a commercial use. The regulations would apply to existing and new public parking garages in all zoning districts

Gross floor area of each building (sq. ft.):

Office: No. of bldgs \_\_\_\_\_

Gross floor area of each building (sq. ft.): \_\_\_\_\_ Other: No. of bldgs \_\_\_\_\_ Gross floor area of each building (sq. ft.): \_\_\_\_\_

Specify type(s):

No. of stories and height of each building: \_\_\_\_\_

Manufacturing/Industrial

No. of bldgs \_\_\_\_\_ Gross floor area of each building (sq. ft.): \_\_\_\_\_

No. of stories and height of each building: \_\_\_\_\_

Type of use(s): \_\_\_\_\_ Open storage area (sq. ft.) \_\_\_\_\_ If any unenclosed activities, specify:

No. of stories and height of each building: \_\_\_\_\_

Community facility

Type of community facility: No. of bldgs \_\_\_\_\_

Vacant land

Is there any vacant land in the directly affected area? ☐ Yes ☐ No

Gross floor area of each building (sq. ft.):

If yes, describe briefly:

Publicly accessible open space

Is there any existing publicly accessible open space to be removed or altered? ☐ Yes ☒ No

If yes, describe briefly:

Is there any existing publicly accessible open space to be added? ☐ Yes ☒ No

If yes, describe briefly:

Other land use

Gross floor area (sq. ft.) \_\_\_\_\_ No. of stories \_\_\_\_\_ Type of use: \_\_\_\_\_

**11. PROPOSED PARKING**

Garages

No. of public spaces: Under the proposal, up to 40 percent of the total number of spaces in a public parking facility would be allowed to be occupied by car sharing vehicles.

No. of accessory spaces: \_\_\_\_\_

Operating hours: \_\_\_\_\_ Attended or non-attended? \_\_\_\_\_

Lots

No. of public spaces: \_\_\_\_\_ No. of accessory spaces: \_\_\_\_\_

Operating hours: \_\_\_\_\_ Attended or non-attended? \_\_\_\_\_

Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate.

No. and location of proposed curb cuts: \_\_\_\_\_

**12. PROPOSED STORAGE TANKS**

Gas or service stations? ☐ Yes ☐ No Oil storage facility? ☐ Yes ☐ No Other? ☐ Yes ☐ No

If yes, specify: \_\_\_\_\_

Size of tanks: \_\_\_\_\_ Location and depth of tanks: \_\_\_\_\_

**13. PROPOSED USERS**

No. of residents: \_\_\_\_\_ No. and type of businesses: \_\_\_\_\_

No. and type of workers by businesses: \_\_\_\_\_ No. and type of non-residents who are not workers: \_\_\_\_\_

**14. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Will the action affect any architectural or archaeological resource identified in response to either of the two questions at number 7 in the Site Description section of the form? ☐ Yes ☐ No

If yes, describe briefly:

**15. DIRECT DISPLACEMENT**

Will the action directly displace specific business or affordable and/or low income residential units? ☐ Yes ☒ No

If yes, describe briefly:

**16. COMMUNITY FACILITIES**

Will the action directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations? ☐ Yes ☒ No

If yes, describe briefly:

**17.** What is the zoning classification(s) of the directly affected area?

**18.** What is the maximum amount of floor area that can be developed in the directly affected area under the present zoning? Describe in terms of bulk for each use.

**19.** What is the proposed zoning of the directly affected area?

**20.** What is the maximum amount of floor area that could be developed in the directly affected area under the proposed zoning? Describe in terms of bulk for each use.

**21.** What are the predominant land uses and zoning classifications within a 1/4 mile radius of the proposed action?

SEE CEQR  
TECHNICAL MANUAL  
CHAPTER III B.,  
SOCIO-ECONOMIC  
CONDITIONS

SEE CEQR  
TECHNICAL MANUAL  
CHAPTER III C.,  
COMMUNITY FACILI-  
TIES & SERVICES

**Zoning  
Information**



## Additional Information

22. Attach any additional information as may be needed to describe the action. If your action involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include here one or more reasonable development scenarios for such sites and, to the extent possible, to provide information about such scenario(s) similar to that requested in the Project Description questions 9 through 16.

## Analyses

23. Attach analyses for each of the impact categories listed below (or indicate where an impact category is not applicable):
- |  |  |
|--|--|
| a. LAND USE, ZONING, AND PUBLIC POLICY | See CEQR Technical Manual Chapter III.A. |
| b. SOCIOECONOMIC CONDITIONS            | See CEQR Technical Manual Chapter III.B. |
| c. COMMUNITY FACILITIES AND SERVICES   | See CEQR Technical Manual Chapter III.C. |
| d. OPEN SPACE                          | See CEQR Technical Manual Chapter III.D. |
| e. SHADOWS                             | See CEQR Technical Manual Chapter III.E. |
| f. HISTORIC RESOURCES                  | See CEQR Technical Manual Chapter III.F. |
| g. URBAN DESIGN/VISUAL RESOURCES       | See CEQR Technical Manual Chapter III.G. |
| h. NEIGHBORHOOD CHARACTER              | See CEQR Technical Manual Chapter III.H. |
| i. NATURAL RESOURCES                   | See CEQR Technical Manual Chapter III.I. |
| j. HAZARDOUS MATERIALS                 | See CEQR Technical Manual Chapter III.J. |
| k. WATERFRONT REVITALIZATION PROGRAM   | See CEQR Technical Manual Chapter III.K. |
| l. INFRASTRUCTURE                      | See CEQR Technical Manual Chapter III.L. |
| m. SOLID WASTE AND SANITATION SERVICES | See CEQR Technical Manual Chapter III.M. |
| n. ENERGY                              | See CEQR Technical Manual Chapter III.N. |
| o. TRAFFIC AND PARKING                 | See CEQR Technical Manual Chapter III.O. |
| p. TRANSIT AND PEDESTRIANS             | See CEQR Technical Manual Chapter III.P. |
| q. AIR QUALITY                         | See CEQR Technical Manual Chapter III.Q. |
| r. NOISE                               | See CEQR Technical Manual Chapter III.R. |
| s. CONSTRUCTION IMPACTS                | See CEQR Technical Manual Chapter III.S. |
| t. PUBLIC HEALTH                       | See CEQR Technical Manual Chapter III.T. |

The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the above-listed categories. Other methodologies developed or approved by the lead agency may also be utilized. If a different methodology is contemplated, it may be advisable to consult with the Mayor's Office of Environmental Coordination. You should also attach any other necessary analyses or information relevant to the determination whether the action may have a significant impact on the environment, including, where appropriate, information on combined or cumulative impacts, as might occur, for example, where actions are interdependent or occur within a discrete geographical area or time frame.

## Applicant Certification

24. Justin Jarboe

PREPARER NAME

Project Manager / City Planner

PREPARER TITLE

PREPARER SIGNATURE

DATE

Robert Dobruskin, AICP

PRINCIPAL

Robert Dobruskin, AICP

NAME OF PRINCIPAL REPRESENTATIVE

Director, EARD

TITLE OF PRINCIPAL REPRESENTATIVE

SIGNATURE OF PRINCIPAL REPRESENTATIVE

DATE

NOTE: Any person who knowingly makes a false statement or who knowingly falsifies any statement on this form or allows any such statement to be falsified shall be guilty of an offense punishable by fine or imprisonment or both, pursuant to Section 10-154 of the New York City Administrative Code, and may be liable under applicable laws.



## Impact Significance

### PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION

#### TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

- For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING, AND PUBLIC POLICY	No
SOCIOECONOMIC CONDITIONS	No
COMMUNITY FACILITIES AND SERVICES	No
OPEN SPACE	No
SHADOWS	No
URBAN DESIGN/VISUAL RESOURCES	No
NEIGHBORHOOD CHARACTER	No
NATURAL RESOURCES	No
HAZARDOUS MATERIALS	No
WATERFRONT REVITALIZATION PROGRAM	No
INFRASTRUCTURE	No
SOLID WASTE AND SANITATION SERVICES	No
ENERGY	No
TRAFFIC AND PARKING	No
TRANSIT AND PEDESTRIANS	No
AIR QUALITY	No
NOISE	No
CONSTRUCTION IMPACTS	No
PUBLIC HEALTH	No

- Are there any aspects of the action relevant to the determination whether the action 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? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.
- If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.
- If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.
- If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment

## Lead Agency Certification

Justin Jarboe

PREPARER NAME

Project Manager, EARD

PREPARER TITLE



PREPARER SIGNATURE

April 23, 2010

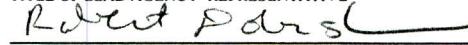
DATE

Robert Dobruskin, AICP

NAME OF LEAD AGENCY REPRESENTATIVE

Director, EARD

TITLE OF LEAD AGENCY REPRESENTATIVE



SIGNATURE OF LEAD AGENCY REPRESENTATIVE

April 23, 2010

DATE

# **Car Share Parking Text Amendment**

## **Environmental Assessment Statement**

CEQR No. 10DCP032Y  
ULURP No. N100284ZRY

New York City Department of City Planning

April 23, 2010

## **ATTACHMENT I: PROJECT DESCRIPTION**

### **I. Introduction**

The New York City Department of City Planning (DCP) proposes a text amendment to the Zoning Resolution to create regulations to allow car share vehicles to park in off-street accessory garages and lots and in public parking facilities in all zoning districts. The proposed text amendment is included in its entirety in Attachment II.

### **II. Project Description**

DCP is proposing a text amendment to Article 1 Chapter 2 (12-10); Article 1 Chapter 3 (13-012, 13-14, 13-42, 13-144, 13-551, 13-561); Article 2 Chapter 2 (22-323); Article 2 Chapter 5 (25-412, 25-42, 25-68); Article 3 Chapter 6 (36-46, 36-51, 36-52, 36-523); Article 4 Chapter 4 (44-35, 44-41, 44-42). These changes would allow car share vehicles to park in parking facilities accessory to residential, commercial and manufacturing use and in public parking lots and garages. The regulations would apply to existing and new accessory parking facilities and public parking facilities in all zoning districts. The car share spaces would not be considered a commercial use.

The Zoning Resolution did not anticipate the recent emergence of car sharing over the last decade. Currently, zoning text anticipates only private automobiles and car rental establishments, which are commercial uses. However, car sharing is a use that is more appropriately characterized as somewhere between private automobile and traditional car rental. Car sharing also has a broad range of individual and environmental benefits (see Section III Purpose and Need) that are not necessarily associated with car rentals. Car sharing allows an individual who is a registered member of a car share organization to use vehicles on an as-needed basis, typically by the hour. A member has access to a variety of vehicles that are generally stored at a location within walking distance from their home location.

The Zoning Resolution includes provisions that accessory off-street residential parking spaces in R3 through R10 districts are intended primarily for private vehicles used by the residents, but allow spaces to be used by non-residents within certain restrictions, including that this use not adversely affect the residential character of the neighborhood. Car share vehicles serve both residents and non-residents, and because they have been documented to encourage car shedding, they can have broad beneficial effects by reducing area demand for parking. The definitions of “public parking lot” and “public parking garage” generally prohibit the storage of commercial



vehicles in such facilities. While made available by reservation, car share vehicles have many key characteristics of non-commercial vehicles that make them appropriate to allow in such facilities. The purpose of this proposal is to alleviate any ambiguity about the permissibility of car sharing and to establish clear and appropriate guidelines for such facilities with this zoning text amendment. This citywide text amendment would specifically establish that car share vehicles may park in certain accessory parking facilities and public parking garages in all zoning districts, within specified limitations. These car share parking spaces would not be considered a commercial use and would not count as floor area if the parking facility in which they are located does not count as floor area.

Because the documented benefits of car sharing are attributable to a set of characteristics that enable it to serve as a reliable substitute for private vehicle ownership, the proposal would define a car sharing service as one that meets the following standards:

1. Car share membership is open to the general public.
2. Car share vehicles are available on an hourly basis.
3. All legally required insurance is included as part of membership.
4. Car share vehicles are reserved by members through a self-service system.
5. Car share vehicles are available 24 hours a day.
6. Car sharing vehicles must be labeled with a decal or similar identification, enabling verification of the number of such vehicles in a facility.

Car share companies generally locate their vehicles in proximity to their membership. Currently, car sharing has been most successful in medium and high density areas of the city, such as Manhattan and Downtown Brooklyn, but has begun expanding to other higher density areas of the city.

#### ***Accessory Parking Facilities in Residential Districts***

Because car sharing vehicles serve local residents, and because of the documented beneficial effects of car sharing on vehicle ownership and usage, the proposed text amendment would allow car share vehicles to park in specific residential districts. In medium and higher density residential districts (R5 – R10 districts, except R5A districts), car share vehicles would be allowed to park in 5 spaces or a maximum of 20% of the total number of spaces, whichever is greater. In lower density multi-family residential districts (R3-2 and R4) car share vehicles would be allowed to park in residential accessory parking facilities with 20 or more spaces, in up to 10% of the total number of spaces. In one- and two-family residence districts (R1, R2, R3A, R3X, R3-1, R4A, R4B, R4-1, and R5A districts) car share vehicles would not be allowed in accessory residential parking facilities. These allowances and limitations on where car sharing



vehicles can park will simultaneously enable the inclusion of car sharing vehicles into garages and lots while maintaining the ability of these facilities to serve their intended users.

***Accessory to Parking Facilities for Community Facility Use***

The proposed text amendment would allow car share vehicles to locate in parking facilities associated with community facility uses in all zoning districts. Car sharing would be allowed in accessory parking facilities with at least 20 spaces and in up to 10% of the total number of spaces. In one- and two-family residence districts (R1, R2, R3A, R3X, R3-1, R4A, R4B, R4-1, and R5A districts), car sharing would only be allowed in accessory community facility parking facilities associated with a college or university.

***Accessory Parking Facilities in Commercial and Manufacturing Districts***

In parking facilities accessory to commercial and manufacturing uses, car share vehicles would be allowed to park in accessory parking facilities with at least 20 spaces, in up to 10% of the total number of spaces.

***Public Parking Facilities***

The proposed text amendment would distinguish car share vehicles from commercial vehicles, which are restricted from parking in public parking facilities. Under the proposal, up to 40 percent of the total number of spaces in a public parking facility would be allowed to be occupied by car sharing vehicles. This limitation would enable car sharing vehicles, which share many characteristics with other cars stored in public parking facilities, to be located in these facilities while maintaining the ability for these facilities to serve a broad variety of users.

***Requirements for Car Sharing Facilities in both Accessory and Public Parking Facilities***

Facilities where car sharing vehicles are parked must be unstaffed, self-service locations. No employees of a car share organization shall provide services to members at these parking facilities, except attended parking garages which may be serviced by an attendant unaffiliated with any car share organization. In order to enable the service to function as a substitute for private vehicle ownership, car share vehicles must be accessible to members 24 hours a day.

***Existing Car Share Parking Regulations***

There is one current regulation in the Zoning Resolution that specifically references car share parking: the Willets Point Special Purpose District adopted in November 2008. This regulation was intended to accommodate car sharing service within the planned Willets Point redevelopment. This regulation allows that a maximum of five percent of required accessory residential off-street parking spaces may be made available as car share spaces. These car share parking spaces are not considered a commercial use and are exempt from floor area calculations.

The car share spaces must be certified by the Chair of the City Planning Commission that the proposed car share business is open to the general public, the owner of the accessory off-street parking facility has signed an agreement with the car share operator limiting any car share spaces to permitted car sharing use, and the number of car sharing spaces is in compliance with the regulations.

### **III. Purpose and Need**

The purpose of this proposal is to alleviate any ambiguity about the permissibility of car sharing and to establish clear and appropriate guidelines for such facilities with this zoning text amendment. The proposed text amendment would allow car share vehicles to park in certain accessory parking facilities and in public parking garages and lots. Car sharing services can offer an efficient, economical alternative to car ownership for those who need to drive relatively infrequently. The member does not have to pay the costs of owning, maintaining, and parking a car, but only for the time they use the car. Car sharing can increase the mobility of individuals who either cannot afford to or choose not to own a car by giving them access to destinations that are not accessible by mass transit.

Car sharing is a relatively recent concept in transportation and mobility. The first car share company in the United States began in 1998 in Portland, Oregon with 69 members and a few cars. Since then, with over 275,000 members (2008) and over a dozen car sharing organizations across the nation, car sharing is becoming a practical and viable transportation option for many people. Car sharing allows an individual who has registered as a member to use vehicles on an as-needed basis, typically by the hour, with costs such as insurance, maintenance, and fuel covered by membership and rental fees. A member of a car share organization has access to a variety of vehicles that are maintained by the car share organization and generally stored at dispersed locations, to be near the populations they are serving. Members reserve a vehicle ahead of time via the internet or phone, go to the designated parking space where the vehicle “lives” at an unstaffed location, drive the vehicle out and then return the vehicle at the end of the reserved time to the same parking space.

The cost structure of car sharing also encourages more efficient use of automobiles, which yields both individual and public benefits for city residents and workers. Most of the costs of car ownership, including purchase of the vehicle, insurance, and parking, are fixed – they do not vary depending on how often the car is used. In contrast, a car sharing member pays low fixed costs, but can economize by minimizing the duration of each trip. This encourages shorter trips as well as linked trips, such as those combining multiple errands. Studies indicate that as members become more aware of the costs associated with each car share reservation, they use



the car share vehicles more judiciously, with beneficial results for the public and for individual health. Not only do car sharing users economize on car usage, but they also increase the number of trips they make by walking, bicycling and mass transit.

The Transportation Research Board of the National Academies issued a report showing that, on average, 21 percent of people either shed a car that they owned or postponed buying a car after becoming a member of a car share service. Because each car sharing vehicle can serve as many as 40 or more members, this reduces the number of cars needed to serve the area's population, which generally alleviates pressure on neighborhood parking resources. In addition, a longitudinal study of car sharing in the Bay Area in California indicates that car share members decrease their total Vehicle Miles Traveled (VMT), which has beneficial effects for traffic congestion and emissions of greenhouse gases and air pollutants.

### ***Car Sharing in New York City***

New York City currently accounts for over one-third of national car share membership. There are three known car share organizations currently operating in New York City. The largest of these claims over 100,000 members in the metropolitan area and over 1,500 vehicles. These vehicles are distributed around the city in pods and the majority of pods have one to five car share vehicles. Trends suggest that membership in these services will continue to grow.

The proposed car share provisions would support other city policies to improve the transportation network while reducing energy consumption and carbon emissions as outlined in the Mayor's PlaNYC. The City's transportation policies seek to support car sharing as a viable transportation option. The New York City Department of Transportation is establishing a pilot car share program in order to reduce their fleet of vehicles, and to reduce the agency's demand for parking and expenditures on vehicles.

In 2005, the New York City Council amended the city charter with Local Law 86 to adopt green building and LEED standards in the construction and renovation of City-owned and City-funded buildings. The U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Green Building Rating System gives a point for car sharing in residential and commercial buildings. Developers and real estate service providers are trying to attain a sought-after LEED rating designation for their buildings. Several other cities in North America have already created or are considering a variety of regulations to accommodate car share parking, including San Francisco (CA), Portland (OR), Philadelphia (PA), Washington D.C., Seattle (WA), Vancouver (BC), Cambridge (MA), and Toronto (ON).

#### **IV. Projected Development and Likely Effects**

The proposed action would allow car share vehicles to park in residential accessory garages and in public parking garages. The regulations would apply to existing and new residential accessory parking garages and public parking garages in all zoning districts. These car share parking spaces would not be considered a commercial use and would not count as floor area.

The proposed action would neither induce nor inhibit new development, and would not affect the amount, type, or location of future development. The principal effect of the proposed text amendment is to allow car share vehicles to park in off-street parking facilities, and thereby increase transportation options.

#### **V. Analysis**

This Environmental Assessment Statement has been prepared in accordance with the procedures set forth in the *CEQR Technical Manual*. For each technical area, the *CEQR Technical Manual* defines thresholds which, if met or exceeded, require that a detailed technical analysis be undertaken. Analysis of those areas found to exceed CEQR thresholds are presented in the summary of findings presented below. The proposed project was analyzed for its potential impacts on land use, zoning, and public policy, the Waterfront Revitalization Program, traffic and parking, transit and pedestrians, air quality and noise. Analyses were not conducted for the following CEQR categories: socioeconomics, community facilities, open space, shadows, historic resources, urban design and visual resources, neighborhood character, natural resources, hazardous materials, infrastructure, solid waste and sanitation, energy, construction, and public health. It would therefore have no potential to result in significant adverse impacts related to these impact categories.



### **A. Land Use, Zoning, and Public Policy**

The proposed action involves a text amendment to define car sharing and create provisions to allow car share vehicles to park in off-street parking facilities. It is not expected that the proposed action would have a significant adverse effect on land use, zoning, and public policy.

The proposed action would not result in a change in the prevailing land use in the affected areas, nor would it result in a change in zoning.

Consequently, there would be no significant adverse impacts to land use, zoning, and public policy, and no further analysis is required.

### **B. Waterfront Revitalization Program**

Proposed actions subject to CEQR that are situated within the designated boundaries of New York City's Coastal Zone must be assessed for their consistency with the City's Local Waterfront Revitalization Program (LWRP). The LWRP consistency review includes consideration and assessment of other local, state, and federal laws and regulations governing disturbance and development within the Coastal Zone.

According to the CEQR Technical Manual, actions located in the designated Coastal Zone require an assessment of the action's consistency with the LWRP. For generic or programmatic actions, the potential locations likely to be affected within the coastal zone boundary should be considered. The proposed action is city-wide and affects areas located within the WRP Coastal Boundary. Consequently, the proposed action's consistency with the WRP has been evaluated.

The WRP Consistency Assessment Form (see Appendix 1) was completed and submitted to the Waterfront and Open Space Division of DCP for review. It was determined that the proposed action would be consistent with the policies of the Waterfront Revitalization Program (**WRP #10-025**). The proposed action would not result in a significant adverse impact and no further analysis is required.

### **C. Traffic and Parking**

The proposed action would not result in significant adverse impacts related to traffic and parking. The proposed action would not exceed any of the thresholds for traffic and parking, specifically an increase of 50 peak hour trips for any single location. Consequently, a detailed traffic and parking analysis was not conducted.

To determine the potential for the proposed action to result in significant adverse impacts to traffic and parking conditions, qualitative screening analyses were performed pursuant to the methodologies identified in the *CEQR Technical Manual*.

The proposed action would not increase the capacity of existing or future accessory and/or public parking facilities but rather allow for a certain percentage of the permitted spaces (based on zoning regulations) to be used for a car sharing service. The analysis below involved the review of several studies and published reports documenting the effects and/or impacts, if any, of car sharing in urban areas. The results of studies and reports cited below appear to indicate that car sharing would actually improve traffic and parking conditions rather than result in significant adverse impacts.

Car sharing has been documented to encourage car shedding, which in turn can induce a decrease in vehicle ownership rates, as well as increase in vehicular linked trips. As noted in the Purpose and Need, a report issued by the Transportation Research Board of the National Academies revealed that, on average, approximately 21 percent of people either shed a car that they owned or postponed buying a car after becoming a member of a car share service. Car sharing has also been documented to decrease automobile usage. A longitudinal study of car sharing in the California Bay Area indicated that car sharing membership overall decreases total Vehicle Miles Traveled (VMT) among members, which can contribute to a reduction in traffic congestion. The cost structure of car sharing also encourages more efficient use of automobiles. Studies indicate that as members become more aware of the costs associated with each car share reservation, they use the car share vehicles more judiciously. This could result in shorter trips as well as an increase in linked trips, such as those combining multiple errands.

The prevailing number of car share vehicles parked at a parking location is between one to five vehicles. Given the typical size of car share uses and the desire of car share operators to disperse rather than concentrate their vehicles, it is not anticipated that the proposed action would result in large concentrations of car share spaces in close proximity. Additionally, anecdotal information from car sharing operators indicates that car sharing occurs in the off-peak hours, and previous studies have shown that car sharing over time results in lower car ownership rates and fewer, shorter automobile trips in the areas that have access to car sharing locations.

Furthermore, the proposed action is not expected to result in any new development that would generate more vehicle trips or create new parking demand. The proposed action could result in a modest change in the behavioral characteristics of drivers participating in a car sharing service as well as the use of existing parking spaces in both accessory and public facilities. Commercial car rental is frequently geared towards non-residents and may produce travel during peak periods.



However, car sharing is primarily utilized by existing residents and workers for non-commuting use, with most travel occurring outside of peak periods. Therefore, the trips associated with car sharing would be well below *CEQR Technical Manual* thresholds and a detailed analysis is not required.

#### **D. Transit and Pedestrians**

The proposed action is not expected to result in any new development that would generate more transit or pedestrian trips. However the proposed action could result in a modest change in the behavioral characteristics of drivers participating in a car sharing service as well as the use of existing parking spaces in both accessory and public facilities. To determine the potential for the proposed action to result in significant adverse impacts to transit and pedestrian conditions, qualitative screening analyses were performed pursuant to the methodologies identified in the *CEQR Technical Manual*.

The proposed action is not expected to result in any new development that would create significant adverse impacts related to transit and pedestrian conditions. While the availability of car sharing vehicles may result in a modest increase in pedestrian and transit trips, any such increase would be diffuse and not concentrated in any particular location. Therefore it is not likely that any one transit or pedestrian element would experience more than the *CEQR Technical Manual* threshold of 200 net bus, subway or pedestrian trips as a result of the proposed action. Thus, based upon the *CEQR Technical Manual Guidelines*, no further transit or pedestrian analysis is required.

#### **E. Air Quality**

For air quality, the goal of CEQR is to determine a proposed action's effects on ambient air quality, or effects on the project because of ambient air quality. Ambient air quality, or the quality of the surrounding air, can be affected by air pollutants produced by motor vehicles, referred to as *mobile sources*; and by fixed facilities, usually referenced as *stationary sources*. Actions can result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants, or add new uses near mobile sources. Stationary source air quality impacts occur when an action creates new stationary sources of pollutants that can affect surrounding uses; when it adds uses near existing (or planned future) emissions stacks, and the new uses might be affected by the emissions from

the stacks; or when it adds structures near such stacks and those structures can change the dispersion of emissions from the stacks so that they begin to affect surrounding uses.

Based on the traffic screening analysis provided in the Traffic and Parking section, the proposed action would not result in more than 50 peak period vehicle trips. Therefore, it would not increase or redistribute traffic and create mobile sources of pollutants.

Likewise, it would not create stationary sources of pollutants or new sensitive receptors by adding new uses. Consequently, no significant, adverse impacts to air quality would occur, and no further analysis is necessary.

#### **F. Noise**

The *CEQR Technical Manual* provides screening thresholds to determine whether a proposed action is likely to result in significant noise impacts and whether detailed analyses are warranted. The initial screening assessment considers whether an action would generate significant noise levels from mobile sources or introduce new noise-sensitive uses in an area with high ambient noise levels. As set forth below, the proposed action would not result in significant adverse noise impacts related to either mobile or stationary sources.

##### *Mobile Source*

Based on the traffic screening analysis provided in the Traffic and Parking section, the vehicle trips generated by the proposed action there would be below *CEQR Technical Manual* guidelines, and therefore there would new no action-induced noise level increases. Therefore, the proposed action would not result in significant adverse mobile sources noise impacts, and no further analysis is required.

##### *Stationary Sources*

The proposed action would not introduce any new noise-sensitive uses to the area and therefore does not have the potential to result in stationary source noise impacts. The proposed action would not allow, or result in the development of, any types of new or different uses and therefore would not result in the introduction of new noise-sensitive uses. Consequently, the proposed action would not result in stationary source impacts and no further analysis is required.



For Internal Use Only:

Date Received: \_\_\_\_\_

WRP no. WRP 10-025

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 designated coastal zone, must be reviewed and assessed for their consistency with the New York City Waterfront Revitalization Program (WRP). The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

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, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

### A. APPLICANT

1. Name: Thomas Wargo, Director, Zoning Division
2. Address: 22 Reade Street, New York, NY 10007
3. Telephone: 212-720-3262 Fax: 212-720-3244 E-mail: twargo@planning.nyc.gov
4. Project site owner: N/A - Citywide Text Amendment

### B. PROPOSED ACTIVITY

1. Brief description of activity:

The Department of City Planning proposes a text amendment to the Zoning Resolution to create regulations to allow car share vehicles to park in off-street accessory garages and lots and in public parking facilities in all zoning districts. These changes would allow car share vehicles to park in parking facilities accessory to residential, commercial and manufacturing use and in public parking lots and garages. The regulations would apply to existing and new accessory parking facilities and public parking facilities in all zoning districts. The car share spaces would not be considered a commercial use if the parking facility in which they are located does not count as floor area.

2. Purpose of activity:

The Zoning Resolution did not anticipate the recent emergence of car sharing over the last decade. Currently, zoning text anticipates only private automobiles and car rental establishments, which are commercial uses. However, car sharing is a use that is more appropriately characterized as somewhere between private automobile and traditional car rental. The Zoning Resolution includes provisions that accessory off-street residential parking spaces in R3 through R10 districts are intended primarily for private vehicles used by the residents, but allow spaces to be used by non-residents within certain restrictions, including that this use not adversely affect the residential character of the neighborhood. Car share vehicles serve both residents and non-residents, and because they have been documented to encourage car shedding, they can have broad beneficial effects by reducing area demand for parking. The definitions of "public parking lot" and "public parking garage" generally prohibit the storage of commercial vehicles in such facilities. The purpose of this proposal is to alleviate any ambiguity about the permissibility of car sharing and to establish clear and appropriate guidelines for such facilities with this zoning text amendment.

3. Location of activity: (street address/borough or site description):

Citywide, all zoning districts

### Proposed Activity Cont'd

4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:

No

5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).

No

6. Will the proposed project require the preparation of an environmental impact statement?

Yes \_\_\_\_\_ No ☒ If yes, identify Lead Agency:

7. Identify city discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

Zoning Text Amendment (see attached EAS for further description)

### C. COASTAL ASSESSMENT

#### Location Questions:

	Yes	No
1. Is the project site on the waterfront or at the water's edge?	<input checked="" type="checkbox"/>	_____
2. Does the proposed project require a waterfront site?	_____	<input checked="" type="checkbox"/>
3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters?	_____	<input checked="" type="checkbox"/>

#### Policy Questions

Yes No

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1)

\_\_\_\_\_ ☒

5. Is the project site appropriate for residential or commercial redevelopment? (1.1)

☒ \_\_\_\_\_

6. Will the action result in a change in scale or character of a neighborhood? (1.2)

\_\_\_\_\_ ☒



**Policy Questions cont'd**

**Yes No**

7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3)

☐ ☒

8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2)

☐ ☒

9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2)

☐ ☒

10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1)

☐ ☒

11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2)

☐ ☒

12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2)

☐ ☒

13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3)

☐ ☒

14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3)

☐ ☒

15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1)

☐ ☒

16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2)

☐ ☒

17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3)

☐ ☒

18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2)

☐ ☒

19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1)

☐ ☒

20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1 and 9.2)

☐ ☒

21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2)

☐ ☒

22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3)

☐ ☒

23. Would the action have any effects on commercial or recreational use of fish resources? (4.4)

☐ ☒

24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5)

☐ ☒

25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1)

☐ ☒

26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1)

☐ ☒

27. Will any activity associated with the project generate nonpoint source pollution? (5.2)

☐ ☒

28. Would the action cause violations of the National or State air quality standards? (5.2)

☐ ☒

**Policy Questions cont'd**

**Yes No**

29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)

\_\_\_\_\_ ✓

30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)

\_\_\_\_\_ ✓

31. Would the proposed action have any effects on surface or ground water supplies? (5.4)

\_\_\_\_\_ ✓

32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)

\_\_\_\_\_ ✓

33. Would the action result in any construction activities that would lead to erosion? (6)

\_\_\_\_\_ ✓

34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)

\_\_\_\_\_ ✓

35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)

\_\_\_\_\_ ✓

36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)

\_\_\_\_\_ ✓

37. Would the proposed project affect a non-renewable source of sand ? (6.3)

\_\_\_\_\_ ✓

38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)

\_\_\_\_\_ ✓

39. Would the action affect any sites that have been used as landfills? (7.1)

\_\_\_\_\_ ✓

40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)

\_\_\_\_\_ ✓

41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)

\_\_\_\_\_ ✓

42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)

\_\_\_\_\_ ✓

43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)

\_\_\_\_\_ ✓

44. Would the action result in the provision of open space without provision for its maintenance? (8.1)

\_\_\_\_\_ ✓

45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)

\_\_\_\_\_ ✓

46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)

\_\_\_\_\_ ✓

47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)

\_\_\_\_\_ ✓

48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)

\_\_\_\_\_ ✓

49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)

\_\_\_\_\_ ✓

50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)

\_\_\_\_\_ ✓



## Policy Questions cont'd

Yes No

51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)

\_\_\_\_\_ ✓

52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)

\_\_\_\_\_ ✓

## D. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's Waterfront Revitalization Program, pursuant to the New York State Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If the certification can be made, complete this section.

"The proposed activity complies with New York State's 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 Name: Thomas Wargo, Director, Zoning Division

Address: 22 Reade Street, New York, NY 10007

Telephone 212-720-3262

Applicant/Agent Signature: Tom Wargo

Date: 4/22/10