

# Open Industrial Uses Study Introductory Presentation

January 2013

## Issue

Concerns have been raised about open industrial uses' effects on the natural and business environment in industrial areas

## Goals

The study is designed to support and grow the City's working waterfront and industrial businesses, while making industrial areas stronger, safer and more resilient to climate change

1. Drive change through cost-effective pollution prevention controls to reduce air, land, water and noise pollution, improving the business environment and generating new investment in nearby industrial areas
2. Increase climate resilience by better regulating storage of chemicals and other industrial materials in coastal areas
3. Increase transparency and predictability of environmental standards for business owners
4. Improve ease of enforcement

## Strategy

- Industry best practices will be reviewed to determine appropriate controls
- Amended zoning and other codes regulating open uses
- Improve coordination of permitting and enforcement
- Provide financial incentives to support improvement of industrial sites, such as:
  - IDA tax benefits and bonds for capital improvements to facilities
  - Targeted brownfield assistance programs within "zones" to facilitate development and job growth on underutilized sites

The study will look at pollution prevention controls at industrial facilities that aim to make our city's industrial areas greener, safer and stronger

**Why OIUS?** The objectives of the Open Uses Study are consistent with comprehensive planning and economic development efforts already underway and build upon years of outreach and consensus building within several of these communities.

- Review of industrial policy identified the need to address performance standards and conditions at open industrial facilities citywide
- PlaNYC
- VISION 2020: NYC Comprehensive Waterfront Plan
- North Shore 2030 Vision Plan
- Hurricane Sandy, concern with flooding and climate resilience



Image credit: NOAA's GOES-13 Satellite Image of Hurricane Sandy used courtesy of NASA GOES Project

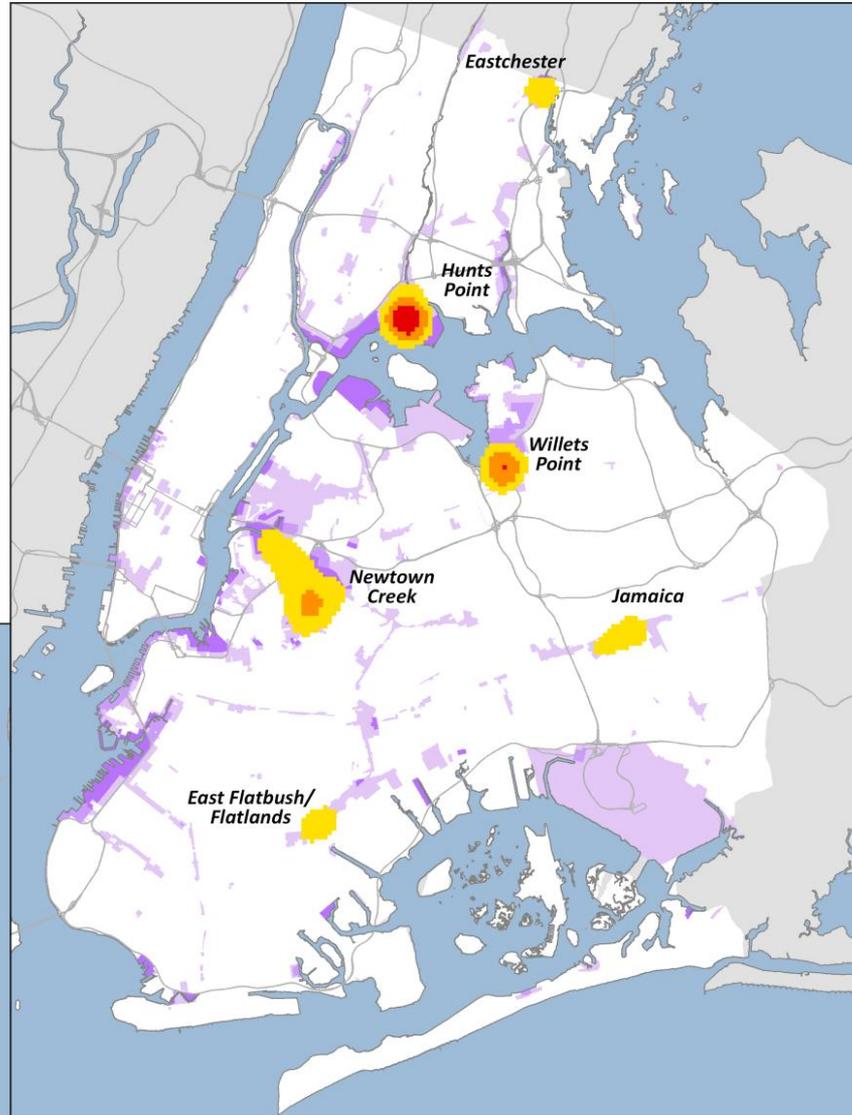
**Open Industrial Uses in New York City**

**Areas permitting industrial uses:**

- M1 Zoning Districts
- M2 Zoning Districts
- M3 Zoning Districts

**Areas with high concentrations of facilities under study:**

- 10 - 20 facilities per square mile
- 20.1 - 30 facilities per square mile
- 30.1 - 46 facilities per square mile



# Surveys, 2011

- Clustering in 7 areas: Newtown Creek, Jamaica, East Flatbush/Flatlands, Staten Island North Shore, Hunts Point and Eastchester
- Surveys cataloged the type, number, size, and issues associated with businesses
- 600 open industrial uses surveyed in six areas that covered a combined area of  $\approx$  418 acres

# Focus on six industrial use categories

1. Concrete manufacturing



2. Auto-dismantling



3. Scrap metal salvage



4. Waste recycling



5. Non-putrescible waste



6. Unenclosed storage



## Common issues & concerns

- While many businesses comply with industry best practices, they compete with others that fail to maintain standards.
- Blowing dust, debris, infestation, and contamination of water and soil are frequent problems.
- Damage to public infrastructure
- Improperly stored materials pose threats in severe storms or flooding.



## Regulatory context

- Zoning does not generally require enclosure but adherence to performance standards in many manufacturing districts
- Zoning only affects new uses and does not require changes to existing facilities.
- Unlike sites containing buildings, the open, unimproved portion of lots do not have clear physical requirements leading to ambiguity in enforcement.
- Other regulations to unenclosed industrial uses provide varying degrees of effectiveness in controlling emissions but gaps still exist.

### State and Municipal Agencies

NYC Dept. of Environmental Protection

NYC Dept. of Consumer Affairs

NYC Dept. of City Planning

NYC Dept. of Buildings

NYC Dept. of Sanitation

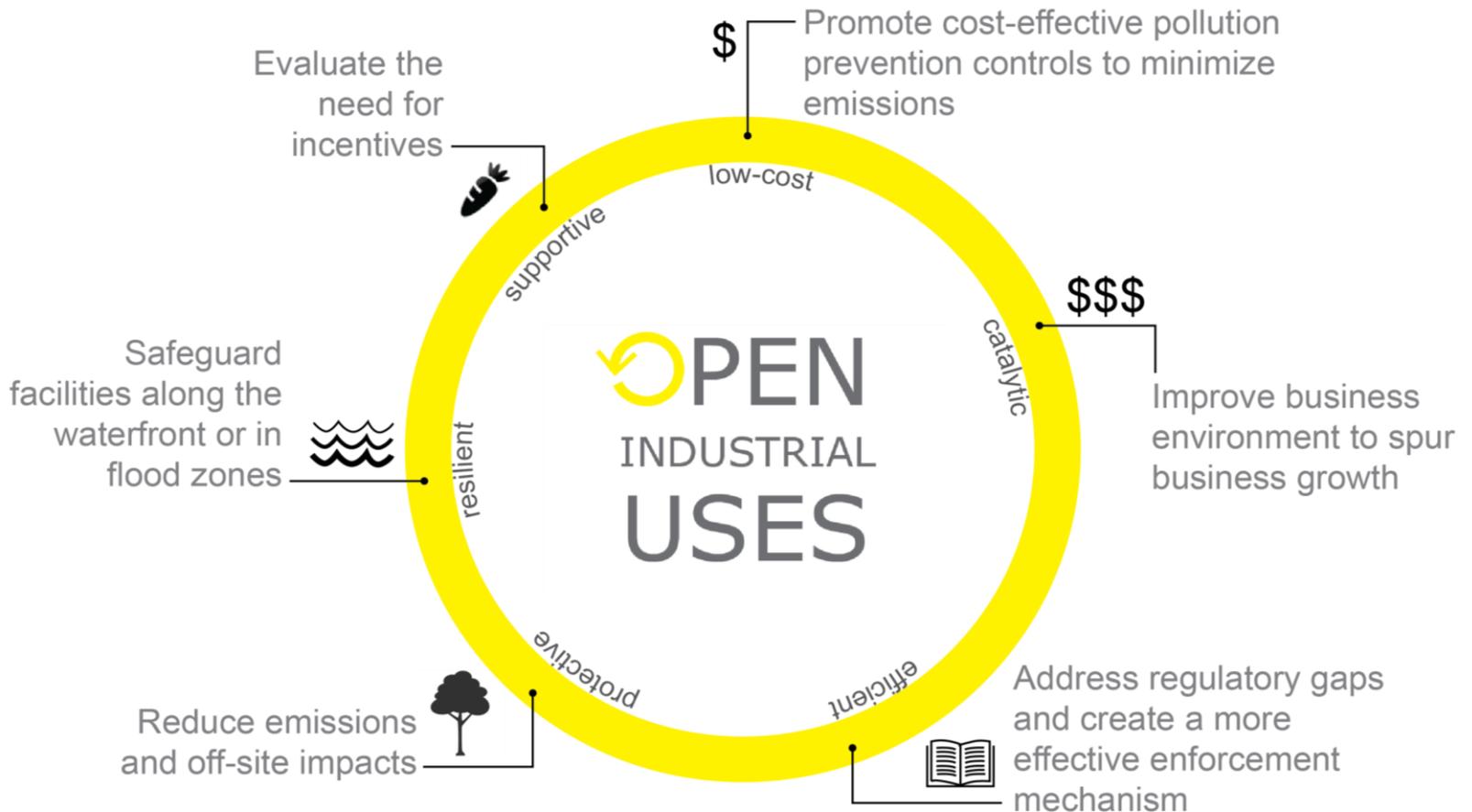
NYC Fire Department

NY State Dept. of Environmental

Conservation

NY State Dept. of Motor Vehicles

**Objectives** The study will look at pollution prevention controls and stronger safeguards for storing hazardous and non-hazardous materials at industrial facilities that aim to make our city’s industrial areas cleaner, safer and stronger.



## Process

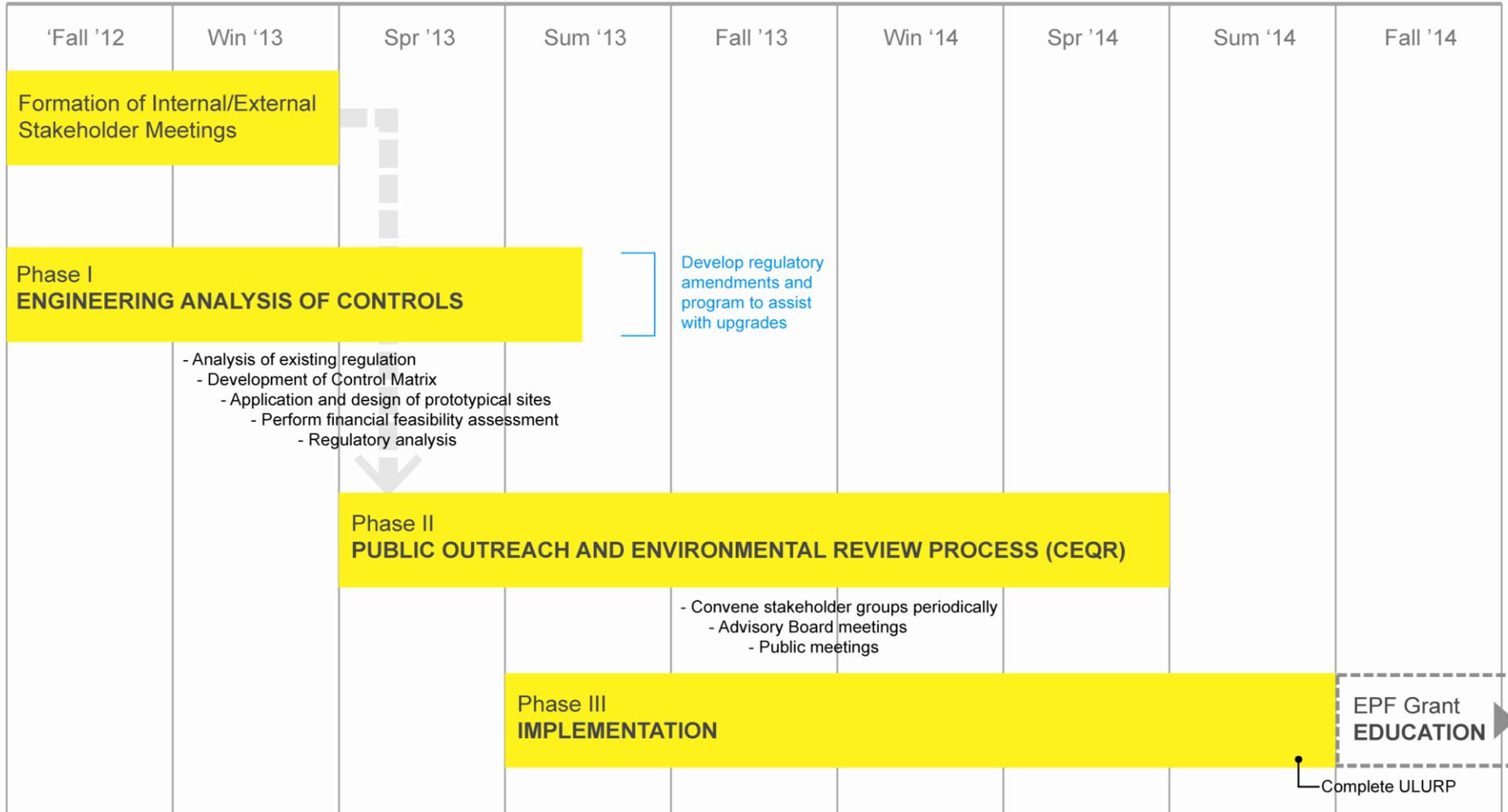
- Public outreach is ongoing
- Engineering analysis by HDR/Parsons Brinckerhoff will evaluate structural pollution prevention controls on prototypical sites for selected open uses
  1. Identify structural pollution controls for existing and new prototypical sites.
  2. Determine site plan feasibility for existing and new uses
  3. Perform a financial feasibility assessment of recommended physical upgrades
  4. Select baseline requirements based on pollution prevention targets and a programmatic needs assessment
- Identify regulatory amendments or legislation to implement requirements for existing and new uses, **including** grandfather clauses or exemptions
- Review the environmental effects of the proposed zoning and other administrative requirements (SEQR/CEQR)

**Conduct engineering analysis** of structural pollution prevention controls on prototypical sites for selected open uses

## NYC OPEN INDUSTRIAL USES STUDY (OIUS)

YEAR 1

YEAR 2



**HAVE WE DEFINED THE ISSUE CONSISTENT  
WITH YOUR EXPERIENCE?**

**DO YOU AGREE WITH OUR STUDY STATEMENT?**

For additional information please contact:

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