



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE CHAIR

NEGATIVE DECLARATION

Project Identification

CEQR No. 13DCP041M
ULURP No. N 130105 ZRM
SEQRA Classification: Type 1

Lead Agency

City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin, AICP
(212) 720-3423

Name, Description and Location of Proposal

Manhattan Core Parking Text Amendment

The New York City Department of City Planning (DCP) is proposing a zoning text amendment to modify the off-street parking regulations in the Manhattan Core, which encompasses the entirety of Manhattan Community Districts 1 through 8, except for Governor's Island in Community District 1, and Roosevelt Island in Community District 8 (approximately 5,625 acres or 8.79 square miles). Article I, Chapter 3 of the New York City Zoning Resolution (ZR) under the proposed action would be modified by deleting Sections 13-00 through 13-562 and replacing it with new text as Sections 13-00 through 13-464; the Long Island City regulations would be moved to Article I, Chapter 6 (as Sections 16-01 through 16-352); and, where germane, other parking-related ZR sections would be modified to update cross-references (e.g., special districts).

The proposed zoning text amendment addresses trends in parking development since 1982 and seeks to update the regulations as follows:

- Permit all new as-of-right accessory parking to operate as public. Existing accessory parking facilities licensed by the Department of Consumer Affairs (DCA) could amend their certificates of occupancy to recognize that public use is permitted as-of-right.
- Replace existing applicable Special Permits that lack sufficient findings to permit the City Planning Commission to evaluate relevant land use issues, with four new Special Permit processes in which applicants may demonstrate the need for parking above the permitted as-of-right ratios based on the following factors, as applicable:
 - Special Permit for additional parking spaces for residential growth based on the supply of parking relative to the growth in neighborhood residents.
 - Special permit for additional parking for health care, arts or public assembly uses based on a demonstration that the parking is essential to the operation of the uses.
 - Special Permit for additional parking for spaces for economic development uses

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- Special Permit for additional parking for large-scale developments based on a parking deficit associated with the development, insufficient capacity to accommodate potential parking users, or the inability to provide parking pursuant to as-of-right ratios based on existing parking caps.
- The existing floor area exemption for accessory parking spaces not more than 23 feet above curb level in new developments would be retained only for buildings wrapped to a certain depth with non-parking uses.
- Cap as-of-right retail parking allowance to 10 spaces.
- Allow, by CPC authorization, the elimination of parking spaces required prior to the date of enactment. This would include required accessory parking for residences under zoning regulations in effect between 1950 and 1982, as well as accessory parking for publicly-assisted housing required under post-1982 regulations.
- Exempt vehicular access ramps, pedestrian access ways and mechanical space from the calculation that limits the size of a parking facility to 200 square feet per parking space.
- Define guidelines for automated parking facilities. In automated parking facilities, a floor area exemption would be permitted up to 40 feet provided the façade is consistent with the primary uses in the building.
- Establish design guidelines for off-street parking facilities to ensure pedestrian and vehicular safety.
- Rationalize reservoir space requirements in public parking facilities and further apply them to accessory parking facilities and to rental car parking, which currently have no such requirements.
- Increase the number or spaces allowed for storage of rental cars in dedicated facilities and public parking garages.
- Revise loading dock requirements to increase loading dock depths from 33 feet by 12 feet to 37 feet by 12 feet, amend the floor area exemption for loading areas accordingly, and expand the conditions under which a loading dock requirement can be waived. Exempt up to 300 square feet of floor area adjacent to the loading berth, allocated for permanent space for dumpster storage with a minimum dimension of 12 feet by 25 feet.
- Increase commercial vehicle parking allowances in public parking facilities.
- Revise regulations for Special Districts in the Manhattan Core in conjunction with overall Manhattan Core off-street parking regulation revisions.

The proposed text amendment would promote a more rational and efficient allocation of off-street parking in the Manhattan Core through a series of amendments to the as-of-right and discretionary parking regulations in the Zoning Resolution. A detailed study on off-street parking in the Manhattan Core was completed in 2011 which helped the Department's understanding of recent trends in off-street parking utilization and supply, and informed the development of this zoning proposal.

Because there are no known specific developments that are projected at this time and it is difficult to predict the exact sites that would develop, the environmental review assessed the

proposed text amendment as a generic action. The analysis year utilized for the environmental review is 2022.

The proposed text amendment is not expected to induce development where it would otherwise not occur in the future without the proposed action, and the development assumptions used for purposes of considering the future with and without the action therefore mirror recent historical development patterns. A prototypical development was defined based on actual development to quantify the effects of the proposed action on a site-specific development built according to a reasonable worst-case scenario.

This prototypical reasonable worst-case development would be sited on a 50,000 square foot lot in Manhattan Community District 7 or 8 with a total of 8100,000 square feet of retail space, 100,000 square feet of other commercial space, and 380 dwelling units. The development's parking related components would include 3 loading berths occupying 444 square feet of exempted floor area and 300 square feet of exempted dumpster floor area, 10 retail parking spaces, 25 commercial parking spaces and 133 parking spaces, and 0 reservoir spaces. The parking spaces would reside within an automated parking facility footprint of 20,160 square feet (based on 168 parking occupying only 60 percent of the footprint of a traditional facility) that operates as open to the public, and which may allocate up to 50 percent of its parking spaces towards commercial vehicles wishing to park in the Manhattan Core overnight, including up to 40 percent towards rental and car share vehicles and available for public use. The incremental differences in development at this prototypical site under the with-action scenario versus the no action scenario would be 18,440 additional ground floor commercial or residential square feet, 25 fewer parking and reservoir spaces, and 348 additional exempted square feet over development in the future without the proposed action.

None of the increments expected as a result of the future with the proposed action over the future without the proposed action would meet or exceed any CEQR thresholds at a site-specific location. Consistent with development patterns in the Manhattan Core in the previous decade, a concentration of new parking facilities in close geographic proximity sufficient to result in an exceedance of CEQR thresholds is highly unlikely. Accordingly, no significant adverse impacts are expected as a result of the proposed action, from either a single-site development, or from a cluster of neighboring developments.

It is not possible to predict whether the new proposed special permits or authorization would be pursued on any given site in the future, and each action will be subject to its own discretionary approvals at the time an application is made to the CPC. The future use of the special permits and authorization was assessed on a conceptual basis to consider the potential range of effects that may be produced through their use.

While there would continue to be no prescribed limit on the amount of spaces that may be asked for and approved under the new special permits, absent the ability to identify specific sites and development proposals to which the new special permits would apply, a conservative assumption is that there would be no change in the overall number spaces throughout the Manhattan Core as a result of the new special permit provisions. The conceptual analysis for the new special permits found that any development making an application under the special permit provisions would be expected to have site specific environmental effects to the same extent as under the

existing special permits framework without any overall change in the nature or extent of the impacts.

With regard to the new authorization, the conceptual analysis concludes that the reduction in parking allowed under the authorization is in itself unlikely to result in any significant adverse impacts. However, use of the authorization may induce new development, the location, nature and size of which cannot be predicted. This development could result in a potential for significant adverse impacts, which would be disclosed and addressed in the any future environmental review of an authorization application.

Absent the proposed text amendment, the off-street parking regulations would remain the same and the built environment and provision of off-street parking with new development would remain similar to conditions today.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement dated October 26, 2012, prepared in connection with the ULURP Application (N 130105 ZRM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The proposed action, except as noted in Paragraph 3 below, would not induce new development or affect the overall amount or type of development throughout the Manhattan Core compared to what is currently permitted today, although the allocation of uses within each development may differ slightly.
2. The overall amount, type, or location of off-street parking throughout the Manhattan Core is unlikely to change on the whole as a result of the proposed action.
3. The use of the new authorization may induce new development at sites previously used for parking, the location, nature and size of which cannot be predicted at this time. Such development could result in a potential for significant adverse impacts. The potential for any development induced as a result of future use of the authorization to result in impacts would be considered in the environmental review of an authorization application, and any impacts identified would be mitigated in accordance with SEQRA standards.
4. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

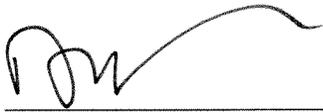
This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Diane McCarthy at (212) 720-3417.



Date: October 26, 2012

Robert Dobruskin, AICP
Director, Environmental Assessment & Review Division
Department of City Planning



Date: November 5, 2012

Amanda M. Burden, FAICP
Chair, City Planning Commission