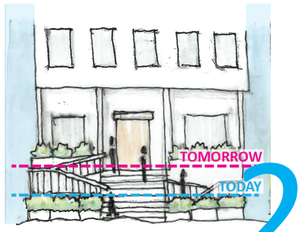
Summary Comparison Chart

GOAL 1



GOAL 2

GOAL 3

GOAL 4

General Applicability

Height Allowance

Building Envelope

Cottage Envelope

Existing Buildings

Underlying Zoning

Permanent regulations control which uses could be conducted on a given piece of property, while establishing limits on the *building envelope*.

- Apply to zoning lots located citywide (ZR 11-111).

Underlying height regulations allow certain buildings to more closely achieve their fully permitted height within the *1% annual chance floodplain*.

- *Building envelopes* can be measured from:.
  - The *BFE* in zoning districts with height limits (ZR 12-10, Definition of Base Plane), or
  - Grade in all other zoning districts (ZR 23-00, 24-00, 33-00, 34-00, 35-00, 43-00).

Underlying optional yard regulations facilitate the construction of buildings located on pre-existing substandard lots.

- Required yards can be modified as follows:
  - Side yards can be reduced for single- and two-family detached homes on lots narrower than the minimum lot width as required by the zoning district (to a minimum of five feet) (ZR 23-48).
  - Rear yards can be reduced for buildings on lots shallower than 70 feet in selected low-density districts and 90 feet in medium-high density districts (to a minimum of 10 feet) (ZR 23-52).

Underlying regulations allow existing *non-conforming* uses and *non-complying* buildings to stay in place but limit their reconstruction, enlargement or alteration.

- Existing non-complying buildings generally cannot be elevated, retrofitted or reconstructed to meet *flood-resistant construction standards*, as they cannot create new non-compliances to height and setback (ZR 54-31, 54-41).
- Existing non-conforming uses generally cannot be reconstructed, if demolished (ZR 52-531).

2013 Flood Text / 2015 Recovery Text

Temporary regulations **facilitate buildings to incorporate resiliency improvements to fully meet *flood-resistant construction standards* while maintaining the same allowable *building envelope*.**

- Apply to **buildings** where at least a portion is located within the ***1% annual chance floodplain*** (ZR 64-12) as an option (to allow buildings to meet *flood-resistant construction standards*)

Optional height regulations **facilitate buildings to incorporate *flood-resistant construction standards*, while improving the utility of spaces below the *DFE*.**

- *Building envelopes* can be measured from:
  - The ***DFE*** in **all** zoning districts (ZR 64-131), or
  - **A *reference plane* placed at nine, 10 or 12 feet, depending on the building type and zoning district, if the BFE equals or exceeds 4 feet above grade and blank walls are mitigated** (ZR 64-334, 64-335, 64-336)

Optional ***building envelope*** facilitates the **reconstruction** of **homes** located on pre-existing substandard lots **in selected areas (Neighborhood Recovery Areas), and better reflects the scale of traditional cottage buildings.**

- Required yards can be modified as follows:
  - Side yards can be reduced for single- and two-family detached homes on lots narrower than the minimum lot width as required by the zoning district **(to a minimum of three feet)** (ZR 64-A352)
  - Rear yards can be reduced for **single- and two-family detached homes** on lots shallower than **95 feet** (to a minimum of 10 feet) (ZR 64-A353)
- **Yard flexibility comes with a lower height limit than required by the underlying zoning district** (ZR 64-A30, 64-A36)

Regulations **allow** the reconstruction, enlargement or alteration of **certain** existing *non-conforming* uses and *non-complying* buildings **to meet *flood-resistant construction standards*.**

- Existing *non-complying* buildings **can be elevated or reconstructed to the *DFE*, while creating new height and setback non-compliances** (ZR 64-721, 64-722, 64-723, 64-724, 64-A20, 64-A21)
- **Existing *non-conforming* single-and two-family homes, except homes in manufacturing or heavy commercial districts, can be rebuilt to *DFE*** (ZR 64-711, 64-712)

Zoning for Coastal Flood Resiliency

Permanent regulations would facilitate buildings to **proactively** incorporate resiliency improvements to fully meet **or exceed** *flood-resistant construction standards* while maintaining the same allowable *building envelope*.

- Apply to **zoning lots** where at least a portion is located within the *1%* or the ***0.2% annual chance floodplain*** as an option (to allow buildings to meet *flood-resistant construction standards*).

Optional height regulations would facilitate buildings to **incorporate sea level rise projections** when meeting *flood-resistant construction standards*, while improving the utility of spaces below the *DFE*.

- *Building envelopes* would be measured from:
  - The *DFE* in all zoning districts; or
  - **A *reference plane* placed anywhere between grade and 10 feet (within the *1% annual chance floodplain*), or five feet (within the *0.2% annual chance floodplain*), to incentivize buildings to be designed to be flood resistant in the long-term and provide an inviting streetscape.**

Optional *building envelope* would facilitate the **construction, reconstruction, and *retrofit*** of homes located on pre-existing substandard lots **in all areas**, and better reflect the scale of traditional cottage buildings.

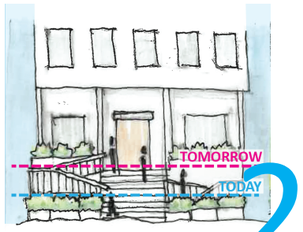
- Required yards would be able to be modified as follows:
  - Side yards would be reduced for single- and two-family detached homes on lots narrower than **30 feet** or the minimum lot width as required by the zoning district (to a minimum of three feet);
  - Rear yards would be reduced for single- and two-family detached homes in lots shallower than 95 feet (to a minimum of 10 feet);
  - **Front yards would be reduced by allowing buildings to meet front yards and setbacks of neighboring buildings**
- Yard flexibility would come with a lower height limit of 25 feet above *DFE* or ***reference plane*** (whichever is higher).

Regulations would allow the reconstruction, enlargement or alteration of **a greater range of** existing *non-conforming* uses and *non-complying* buildings to meet **or exceed** *flood-resistant construction standards*.

- Existing *non-complying* buildings would be able to be elevated, ***retrofitted*** or reconstructed to or **above the *DFE***, while increasing/creating new height and setback non-compliances **if the height does not exceed underlying maximum height as measured from the *DFE or reference plane* (*whichever is higher*). Buildings will also be able to increase/create new open area non-compliances, provided certain parameters;**
- Existing *non-conforming* uses, **including residential buildings in manufacturing or heavy commercial districts**, would be able to be ***retrofitted*** or generally rebuilt to or ***above the DFE or reference plane* (*whichever is higher*).**

Summary Comparison Chart

GOAL 1



GOAL 2

GOAL 3

GOAL 4

		Underlying Zoning	2013 Flood Text / 2015 Recovery Text	Zoning for Coastal Flood Resiliency
Building Design	Floor Area Exemptions	Underlying floor area regulations exempt floor area for buildings located within the *1% annual chance floodplain* under limited conditions. Floor area can be exempted if: • More than one-half of the floor-to-ceiling height is located below the *BFE* in zoning districts with height limits (ZR 12-10, Definition of Cellar)	Floor area regulations exempt floor area to **encourage new and existing buildings to meet *flood-resistant construction standards*.** Floor area can be exempted if: • More than one-half of the floor-to-ceiling height is located below the ***DFE*** in **all** zoning districts (ZR 64-11, Definition of Cellar) • **The ground-floor of existing buildings is *wet-floodproofed*** (ZR 64-411) **The ground-floor of existing buildings in selected commercial districts is *dry-floodproofed*** (ZR 64-411)	Floor area regulations would exempt floor area to encourage new and existing buildings to meet **or exceed** *flood-resistant construction standards*, **while ensuring quality ground-floors that are kept at street level.** • Floor area would be exempted if: • The ground-floor of **new** and existing buildings is wet-floodproofed; • **The first 30 feet** of ground-floors of **new** and existing buildings in **all** commercial districts **along primary streets,** is *dry-floodproofed*, **located close to grade, and with a non-residential use.**
	Streetscape Regulations	Underlying streetscape regulations promote walkability across the city's residential and commercial areas. • Ground floor use, street wall, and planting rules apply for residential and commercial buildings, and community facilities (ZR 26-00, 37-00)	Streetscape regulations promote walkability across the city's **1% *annual chance floodplain* by helping mitigate potential blank walls.** • **Additional streetscape regulations are required for:** • **Residential buildings and community facilities if the level of the first occupiable floor equals or exceeds five feet or the *DFE* equals or exceeds 10 feet** (ZR 64-61, 64-62, 64-63) **Other non-residential buildings in areas where the *DFE* equals or exceeds 10 feet** (ZR 64-64)	Streetscape regulations would promote walkability across the city's ***floodplain*** by **ensuring an accessible design that makes the streetscape more inviting while mitigating additional height.** • Additional streetscape regulations are required for: • **All buildings (except those with heavy manufacturing uses) that utilize the flexibility offered in the text, would be required to comply with streetscape regulations, while having access to a wider range of design options to better accommodate different contexts and building typologies.**
	Use Regulations	Supplemental use regulations ensure that buildings contribute to the streetscape of the area. • Commercial uses are limited to the ground-floor in mixed-use buildings located within low and medium-density commercial districts (ZR 32-421)	No applicable provisions.	Supplemental use regulations would offer alternatives beyond *dry-floodproofed* cellars for businesses to locate commercial uses, especially accessory spaces: • Commercial uses **would be able to be placed at the second story** in mixed-use buildings located within **all commercial districts.**
Special Conditions	Existing Buildings	No applicable provisions.	**Discretionary path allows existing buildings that need extra zoning flexibility to meet *flood-resistant construction standards* when *retrofitting* or reconstructing** • **The BSA can modify design requirements, height (10% or 10 feet whichever is less), and other bulk regulations, except floor area rules** (ZR 64-92)	Discretionary path would allow existing buildings that need **additional** zoning flexibility to meet *flood-resistant construction standards* when *retrofitting* or reconstructing: • The BSA can modify design requirements, **parking**, height, and other bulk regulations, **including floor area,** to allow buildings to meet *flood-resistant construction standards.*
	Ground-floor Use Special Permit	No applicable provisions.	No applicable provisions.	**Discretionary path to allow buildings extra floodproofing options, beyond *wet-floodproofing*, while encouraging a more active streetscape:** • **The BSA would allow buildings located within residence districts to use the ground-floor level of the building for professional offices, if the space is *dry-floodproofed.***

Summary Comparison Chart

		Underlying Zoning	2013 Flood Text / 2015 Recovery Text	Zoning for Coastal Flood Resiliency
GOAL 1	Mechanical Equipment	Permitted obstruction and floor area regulations facilitate the placement of mechanical equipment within or outside of buildings. • Space used to store mechanical equipment is not counted toward floor area calculations, with some exceptions in low-density residence districts (ZR 12-10, Definition of Floor Area) • Permitted obstruction allowances are offered for mechanical equipment to be placed on roofs (ZR 23-62, 33-42)	Permitted obstruction and floor area regulations facilitate the placement of mechanical equipment **above the *DFE*, including emergency generators,** within or outside of buildings. • Space used to store mechanical equipment is not counted towards floor area calculations, **within all zoning districts** (ZR 64-313) • **Extra** permitted obstruction allowances are offered to mechanical equipment to be placed on roofs **or within rear yards** (ZR 64-322, 64-331, 64-332, 64-421, 64-432) • **Emergency generators can be installed as permitted obstructions on yards and open space on lots with single- or two-family homes** (ZR 64-421, 64-A24, 64-A34)	Permitted obstruction and floor area regulations would facilitate the placement of *MEP* **equipment** above the *DFE*, including emergency generators within or outside of buildings, **including within separate *MEP* buildings.** • Space used to store *MEP* equipment, **including access to the equipment,** would not be counted towards floor area calculations, within all zoning districts; • Extra permitted obstruction allowances would be offered to *MEP* equipment to be placed on roofs or within rear yards; • Emergency generators would be installed as permitted obstructions on yards and open space for **all lots** located **citywide;** • **Extra flexibility would allow *MEP* to be located within separate buildings on large lots.**
GOAL 2	Flood Protection Measures	No applicable provisions	**Permitted obstruction regulations facilitate the implementation of site-scale flood protection measures.** • **More flexible permitted obstruction rules allow flood barriers, retaining walls and raised yards to be installed** (ZR 64-323)	Permitted obstruction regulations would facilitate the implementation of site-scale flood protection measures, **including on large sites.** • More flexible permitted obstruction rules would allow flood barriers, retaining walls, raised yards, **berms and floodgates** to be installed.
 GOAL 3	Partial Resiliency Strategies — Waterfront Rules	No applicable provisions	**Special rules provide flexibility for grading of waterfront sites to achieve flood resilience.** • **Waterfront yards may be elevated, provided it follows grading requirements and connects to adjacent properties;** • **Visual corridors may be adjusted (raised) to coordinate with elevated yards.**	Special rules would provide **more design strategies to facilitate a resilient and accessible waterfront.** • **Increased flexibility with grading requirements and requirements for the connection with adjacent properties,** would facilitate waterfront yards **and the shore public walkway** to be elevated; • **More flexible rules for the measurement of waterfront yards, maximum retaining wall height, screening buffer and planting requirements, would facilitate the design of bi-level shore public walkways;** • Visual corridors would be able to be adjusted (raised) to coordinate with elevated yards; • **More flexible rules for the measurement of waterfront yards would allow for greater options of shoreline design.**
 GOAL 4	Emergency Rules — Existing Buildings	Regulations limit the reconstruction of existing *non-conforming* uses and *non-complying* buildings. Existing *non-conforming* uses and *non-complying* buildings generally cannot be reconstructed if damaged (ZR 52-531, 54-41)	Regulations **facilitate** the reconstruction of existing *non-conforming* uses and *non-complying* buildings that were **damaged by Hurricane Sandy.** • Existing *non-conforming* uses and *non-complying* buildings **can be reconstructed if damaged** (ZR 64-711, 64-721)	Regulations would facilitate the reconstruction of existing *non-complying* and/or *non-conforming* buildings that were **damaged by a future disaster in future recovery area.** • Existing *non-conforming* uses and *non-complying* buildings would be able to be fully reconstructed if damaged
	Emergency Rules — Documentation	No applicable provisions	**Regulations expedite the Hurricane Sandy recovery process in Neighborhood Recovery Areas.** • **Simplified documentation process is available to single- and two-family homes that need to obtain DOB permits for the reconstruction or elevation of storm-damaged buildings** (ZR 64-A02, 64-A11, 64-A12)	Regulations would expedite **future recovery processes in heavily damaged areas.** • Simplified documentation process would be available to **all buildings** that need to obtain DOB permits for the reconstruction, elevation **or *retrofit*** of storm-damaged buildings.