

# EAST SHORE BUYOUT AREAS SPECIAL COASTAL RISK DISTRICT AND REZONING

(170373 ZMR, 170374 ZRR)

City Planning Commission Review Session

April 24, 2017



- 1. DCP's Climate Resiliency Initiatives**
- 2. The East Shore Resilient Neighborhoods Study**
- 3. East Shore New York State Buyout Areas - Overview**
- 4. Proposed East Shore Buyout Areas Special District and Rezoning**
  - Proposal Goals & Required Actions
  - Zoning Text Amendment
    - Special Coastal Risk District – East Shore Subdistrict
  - Zoning Map Amendment
    - Proposed C1-3 Overlay (from C1-1)

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## #ONENYC

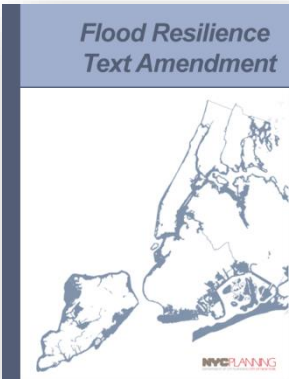
“ A more resilient NYC is one where neighborhoods, buildings and infrastructure can withstand and recover quickly from flooding and climate events.”





# DCP Climate Resiliency Initiatives

**Flood Text (2013)** initial, temporary regulations building off EO 230



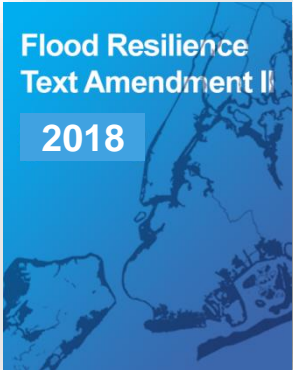
**SRNR (2015)** provides additional zoning relief to expedite recovery



**Local Rezoning (2017)**  
In vulnerable areas of Queens and Staten Island



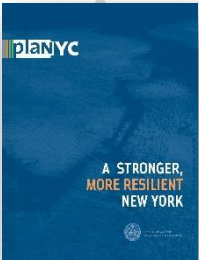
**Flood Text II (2018)** to be updated and made permanent



**Executive Order 230 (2012)** mayoral override of zoning



**PFIRM + Freeboard (2012)** DOB requires most restrictive map; additional elevation



**SIRR Report (2013)** long-term, citywide resiliency framework



**Build it Back (2015)** lessons learned in rebuilding effort inform zoning changes



**Neighborhood Studies (2014-17)** will inform the text and local rezonings



**Resilient Retail & Resilient Industry (2014-17)** will inform the text



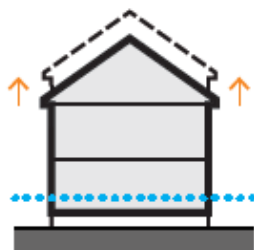
**One New York (2015)** moves from recovery to future resiliency

# 2013 Citywide Flood Resilience Text Amendment

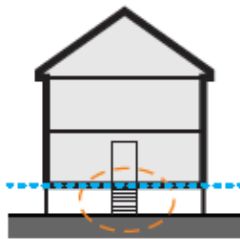


\*Intended to be updated based on lessons learned, expires 1 year after adoption of PFIRMs.

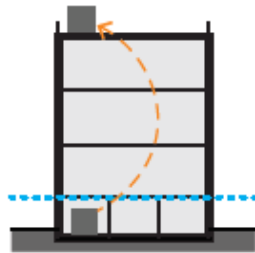
- **Height:** increased the height limit of all buildings in the floodplain by allowing height to be measured from the Design Flood Elevation (DFE), and in some cases, a higher reference point
- **Floor area:** allowed discounting of floor space when lost in order to come into compliance with the latest building standards (raised entryways, mechanical space, floodproofed areas)
- **Retrofitting older buildings:** overrides typical zoning rules for non-complying and non-conforming buildings, giving them wide latitude to retrofit and rebuild.
- **Design standards:** required elevated buildings to mitigate their impact on the streetscape



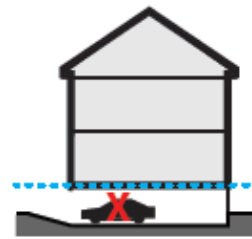
**Height**  
must recognize elevation requirements in flood zones



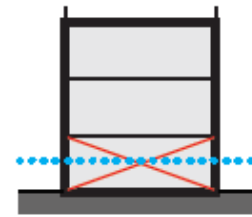
**Access**  
need for stairs/ramps requires imaginative solutions



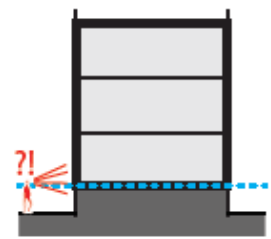
**Mechanical Systems**  
must allow relocation out of flood-prone areas



**Parking**  
may not be possible below ground



**Ground Floor Use**  
buildings may be allowed only limited use of ground floors



**Streetscape**  
limit negative effect of blank walls on streetscape

## APPROVED

## Neighborhood Studies:

- Planning initiative to identify neighborhood-specific strategies, including zoning and land use changes, to support the vitality and resiliency of communities in the floodplain and prepare them for future storms.
- Recommendations were formed through extensive community outreach and include local zoning changes, and zoning changes to be incorporated into the future citywide text.





# Approach to future zoning + land use strategies



*Where flood risk is exceptional, including places identified as buyout areas.*

*Where risk from extreme events can be managed through infrastructure and context can support growth.*

Flood risk and local planning considerations



## Limit

Zoning and other tools should limit exposure to damage and disruption by limiting the density future development.

## Accommodate

Adjust zoning to allow buildings to retrofit, by providing flexibility and removing obstacles to resiliency investments.

## Encourage

Encourage construction of new development built to a higher standard of flood protection.

# Approach to future zoning + land use strategies



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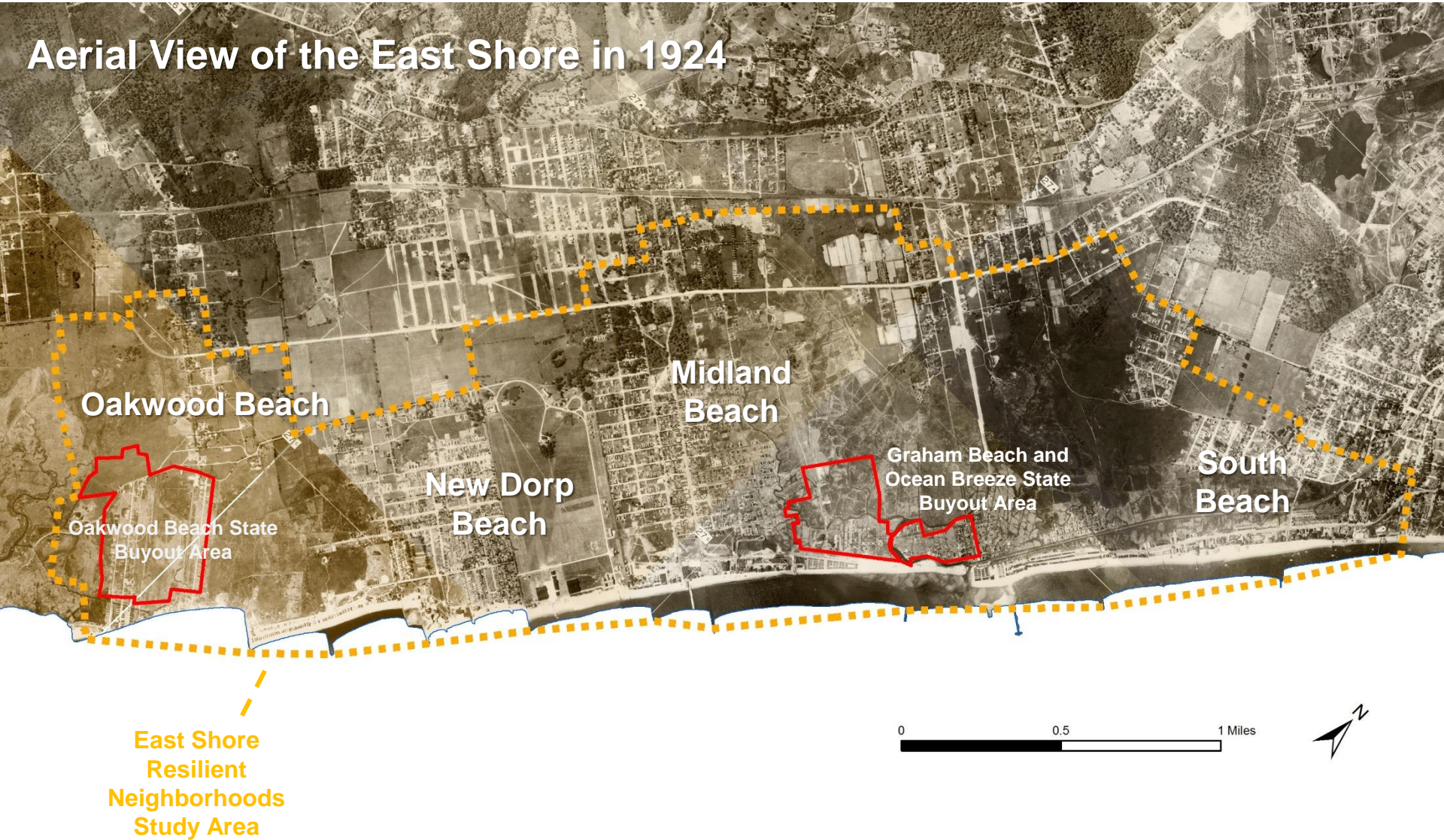
## Encourage

Encourage construction of new development built to a higher standard of flood protection.

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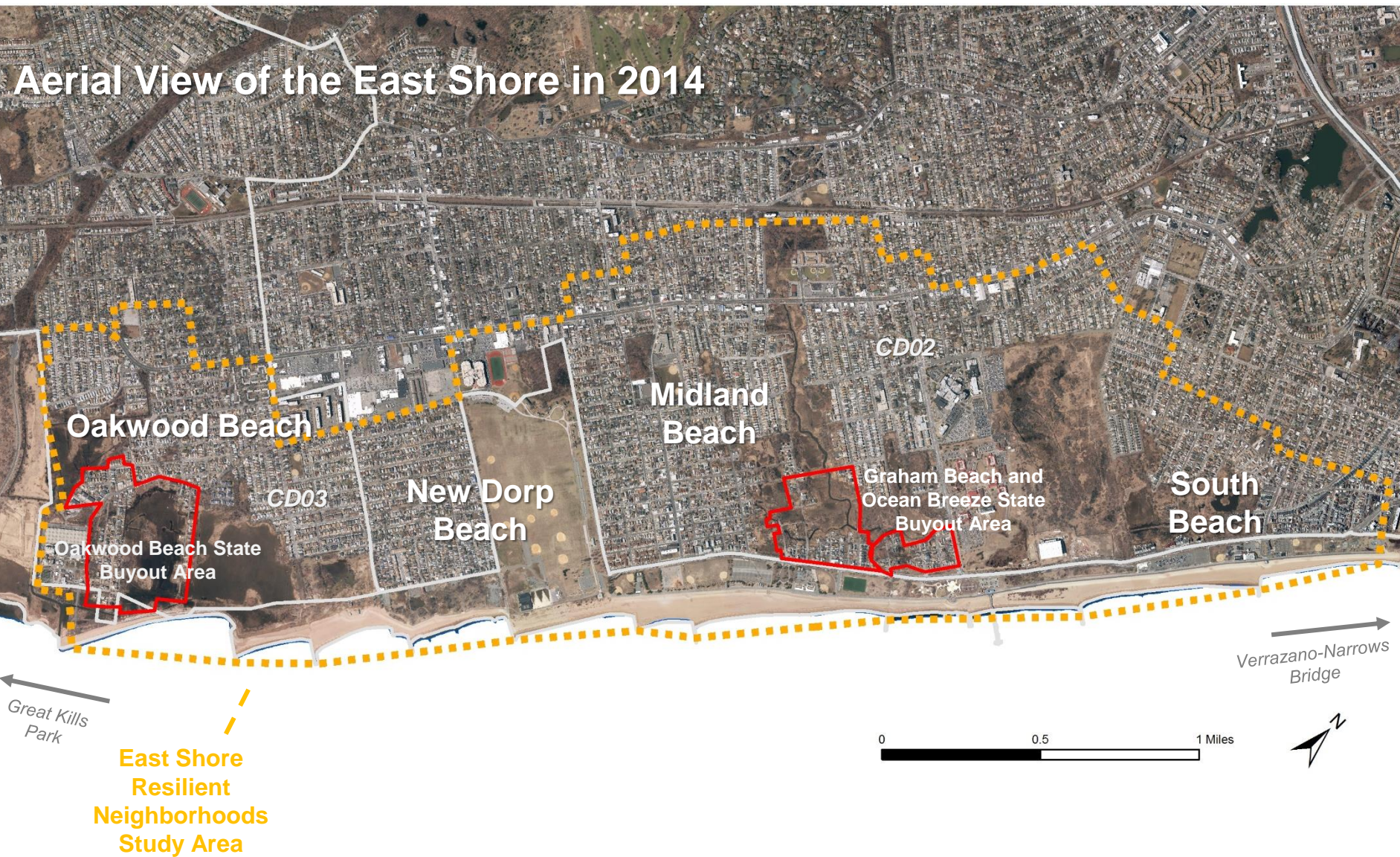
Aerial View of the East Shore in 1924



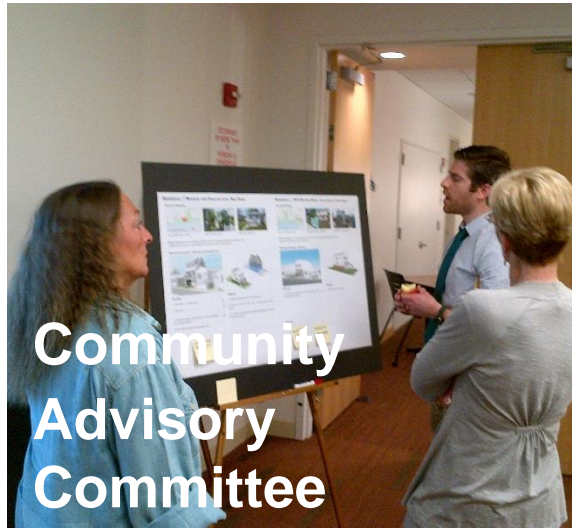


# East Shore Planning and Infrastructure

Aerial View of the East Shore in 2014









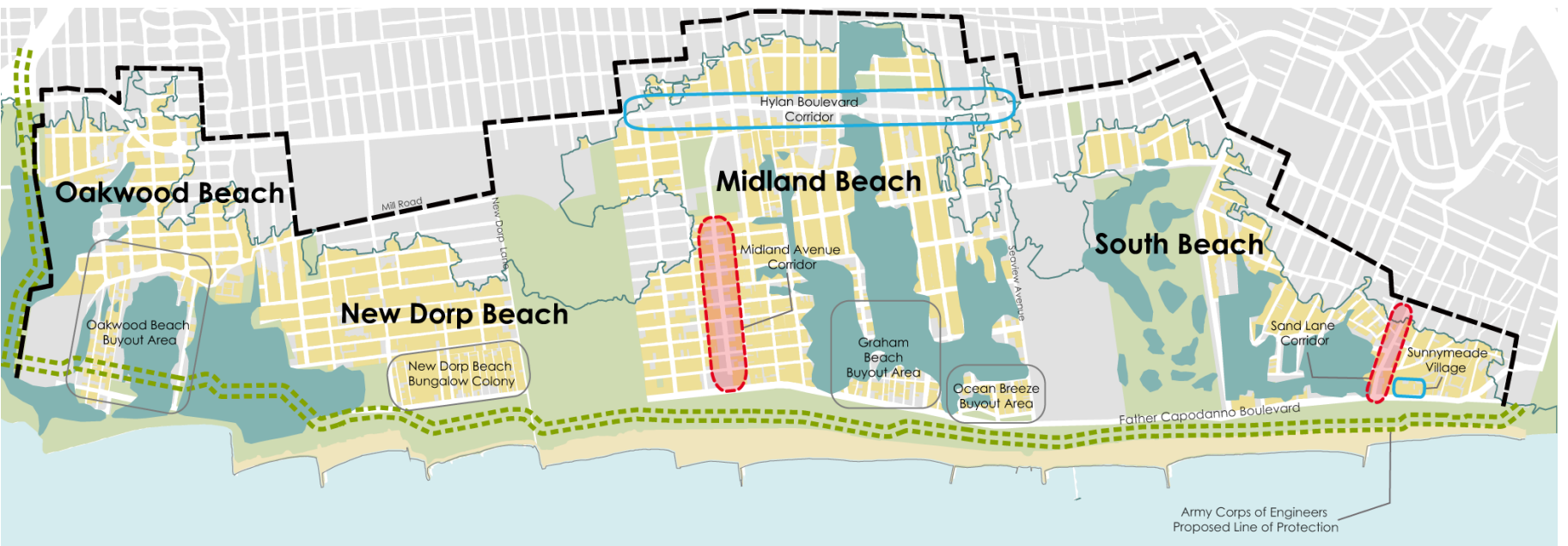


The **Resilient Neighborhoods East Shore Report** was released on April 14<sup>th</sup> 2017

The study's key recommendations include:

- Working to reduce flood risk by supporting the U.S. Army Corp's Line of Protection
- Advancing resilient building by creating a new zoning envelope for detached and semi-detached homes in the floodplain and reducing zoned density in New Dorp Beach
- Strengthening key waterfront destinations by exploring rezoning options for Midland Avenue and Sand Lane to encourage attractive mixed-use development
- Preserving ecologically sensitive natural environments and open spaces by limiting density and ensuring review of development near wetlands and in other hazardous areas

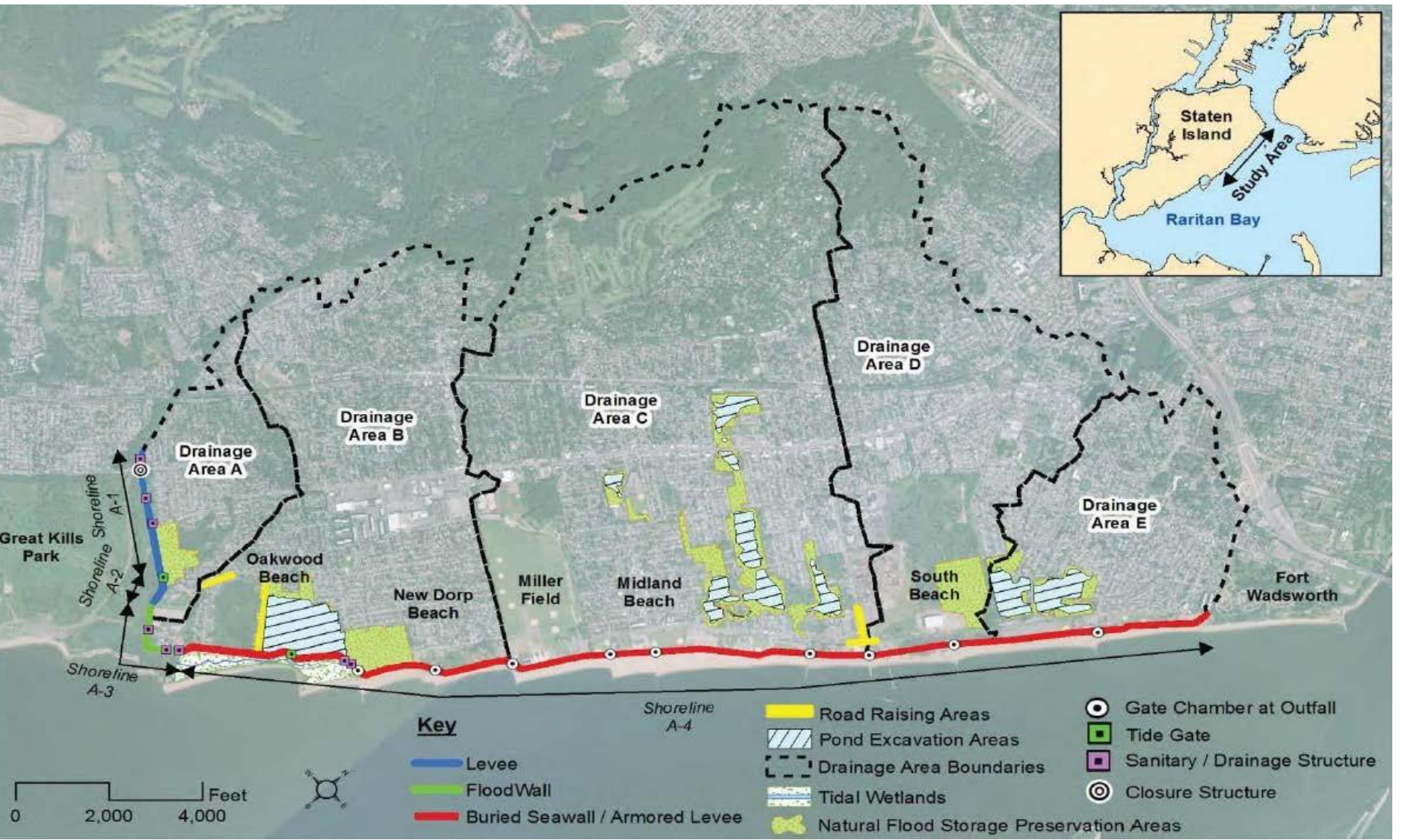
# Resilient Neighborhoods Study



Reduce Flood Risk	Advance Resilient Building		Strengthen Key Waterfront Destinations	Preserve Natural Environments
Line of Protection	Cottage Envelope <i>Accommodate</i>	New Dorp Beach <i>Accommodate</i>	Midland Avenue & Sand Lane <i>Encourage</i>	Limit Density in NYS Enhanced Buyout Areas <i>Limit</i>
Local Land-Use Action	Citywide Flood Text	Local Zoning Action	Local Zoning Action	Local Zoning Action
ULURP in process	ULURP anticipated 2018			Cert. Target 4/24



# Reduce Flood Risk: Army Corps' Line of Protection





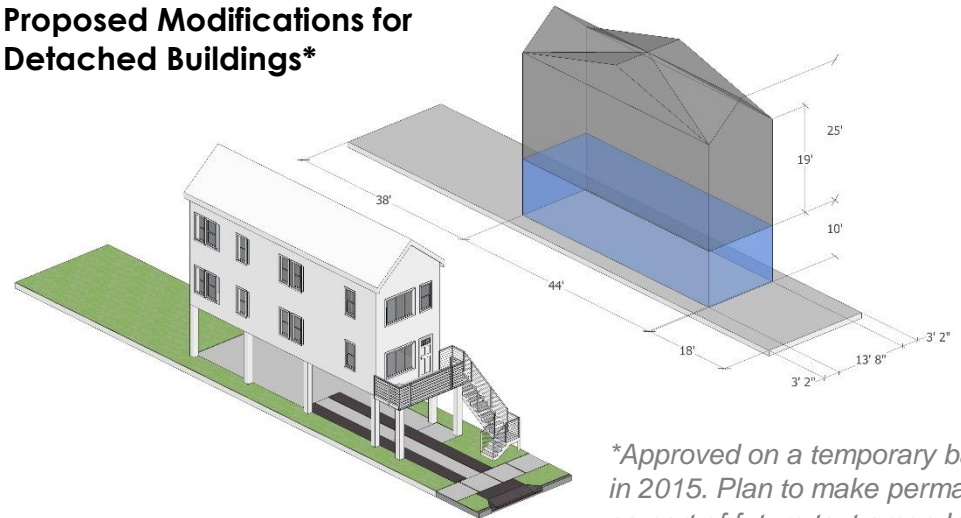
# Advance Resilient Building: Cottage Envelope

## Residential Structure Permitted by Zoning on Narrow Lots



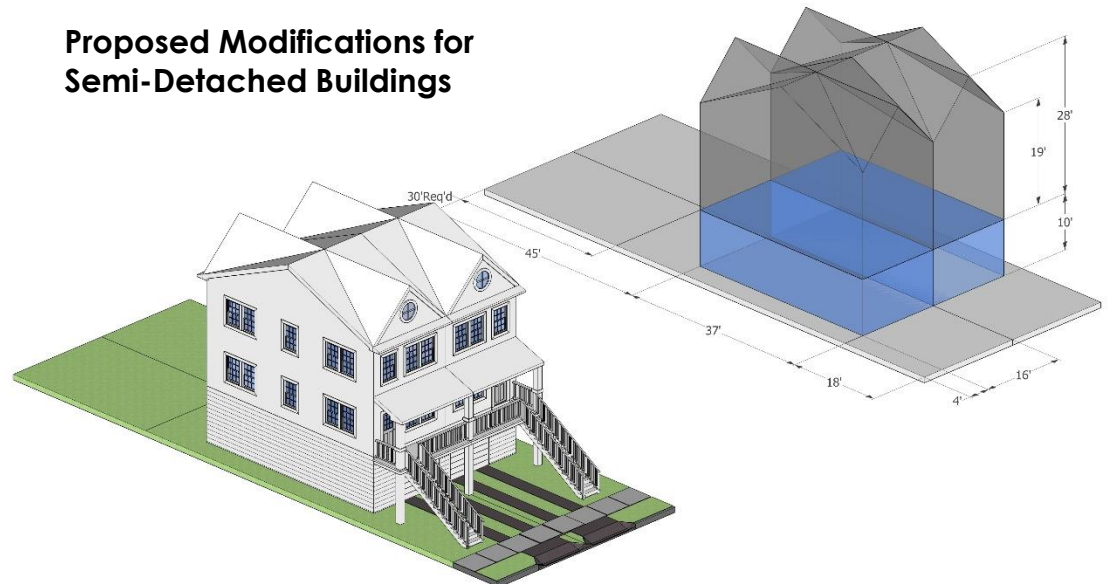
"Candlestick" home on East Shore

## Proposed Modifications for Detached Buildings\*



*\*Approved on a temporary basis in 2015. Plan to make permanent as part of future text amendment.*

## Proposed Modifications for Semi-Detached Buildings



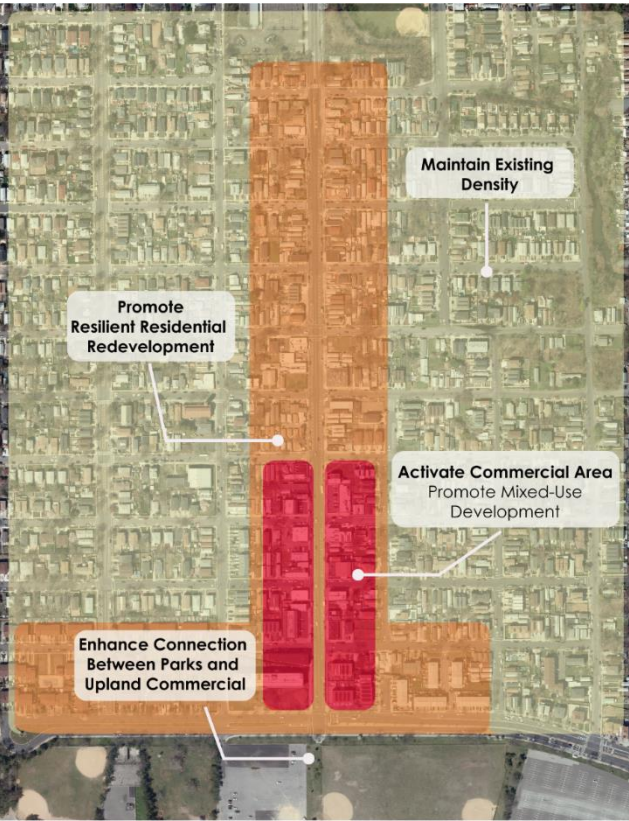
# Advance Resilient Building: New Dorp Beach



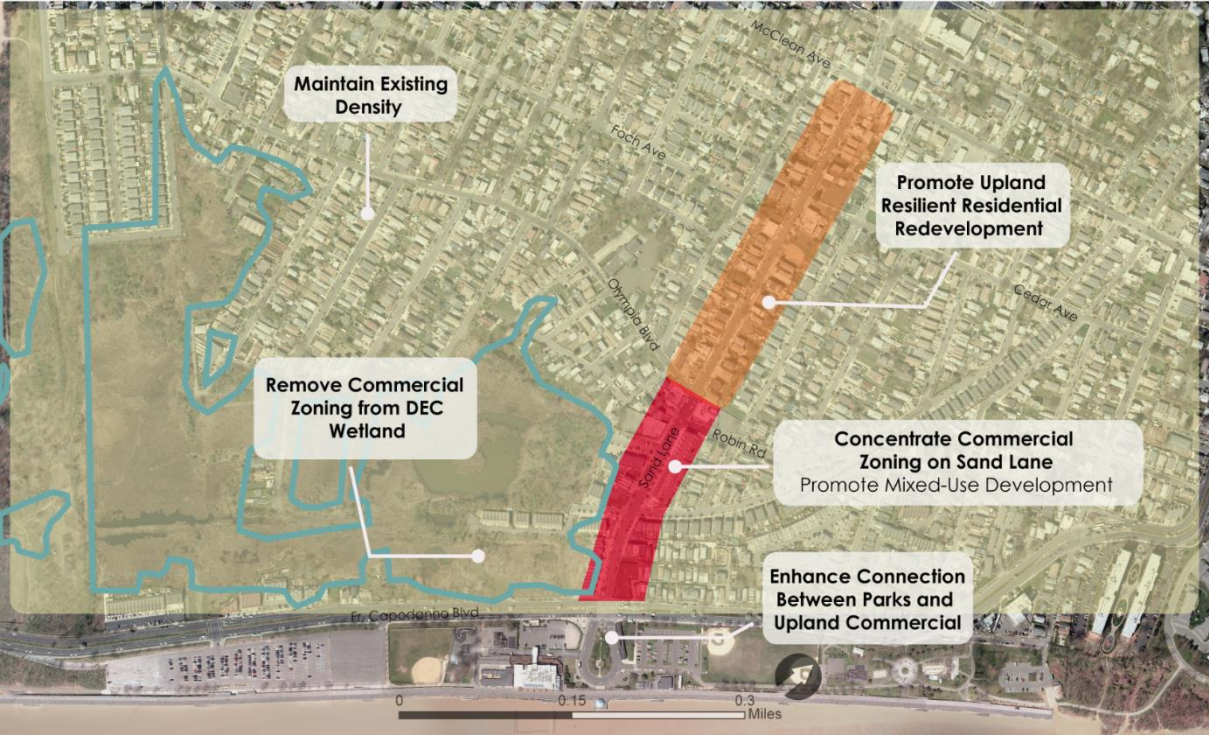


# Strengthen Key Waterfront Destinations: Midland Avenue & Sand Lane

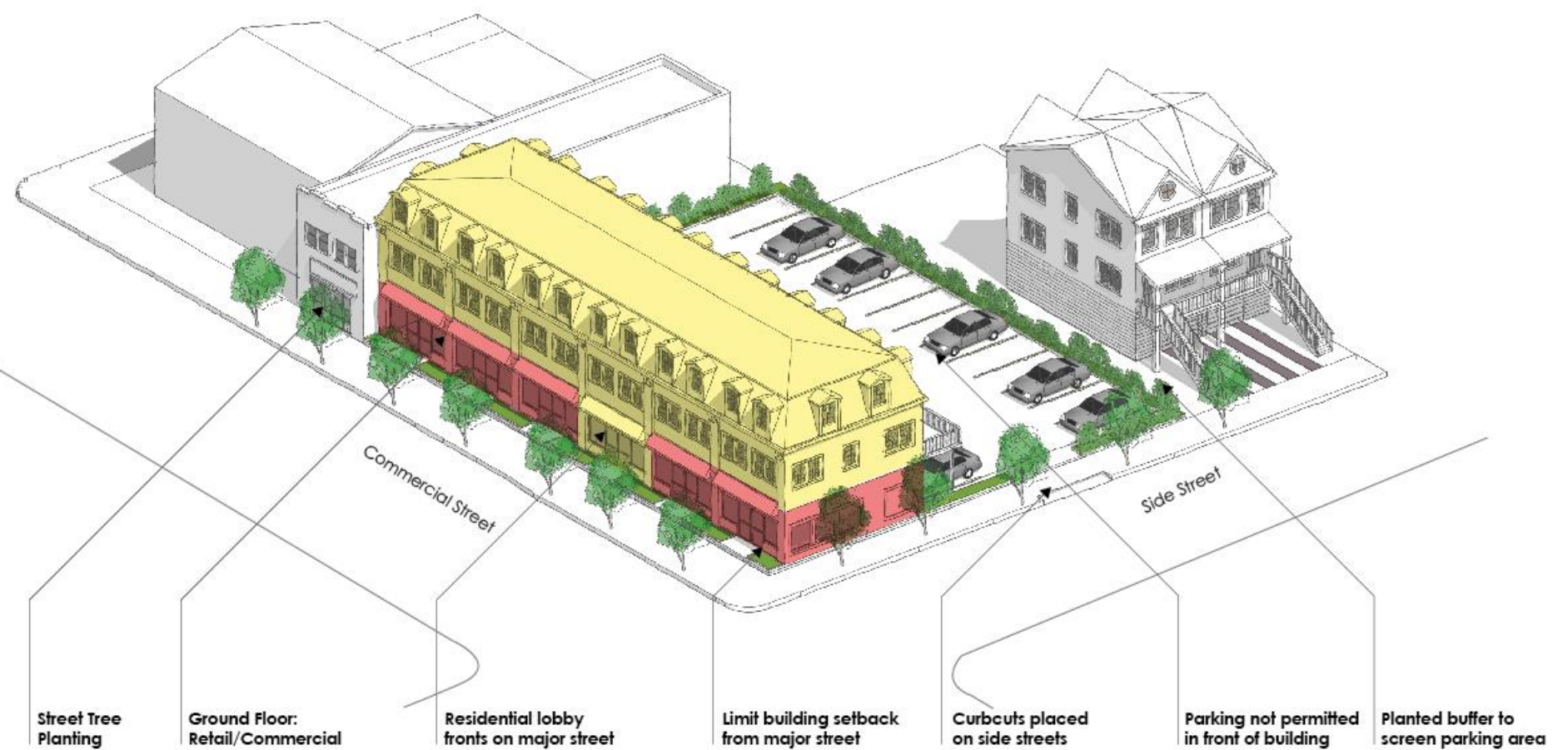
Midland Avenue Recommendations



Sand Lane Recommendations



# Strengthen Key Waterfront Destinations: Midland Avenue & Sand Lane



- Street Tree Planting
- Ground Floor: Retail/Commercial
- Residential lobby fronts on major street
- Limit building setback from major street
- Curbcuts placed on side streets
- Parking not permitted in front of building
- Planted buffer to screen parking area

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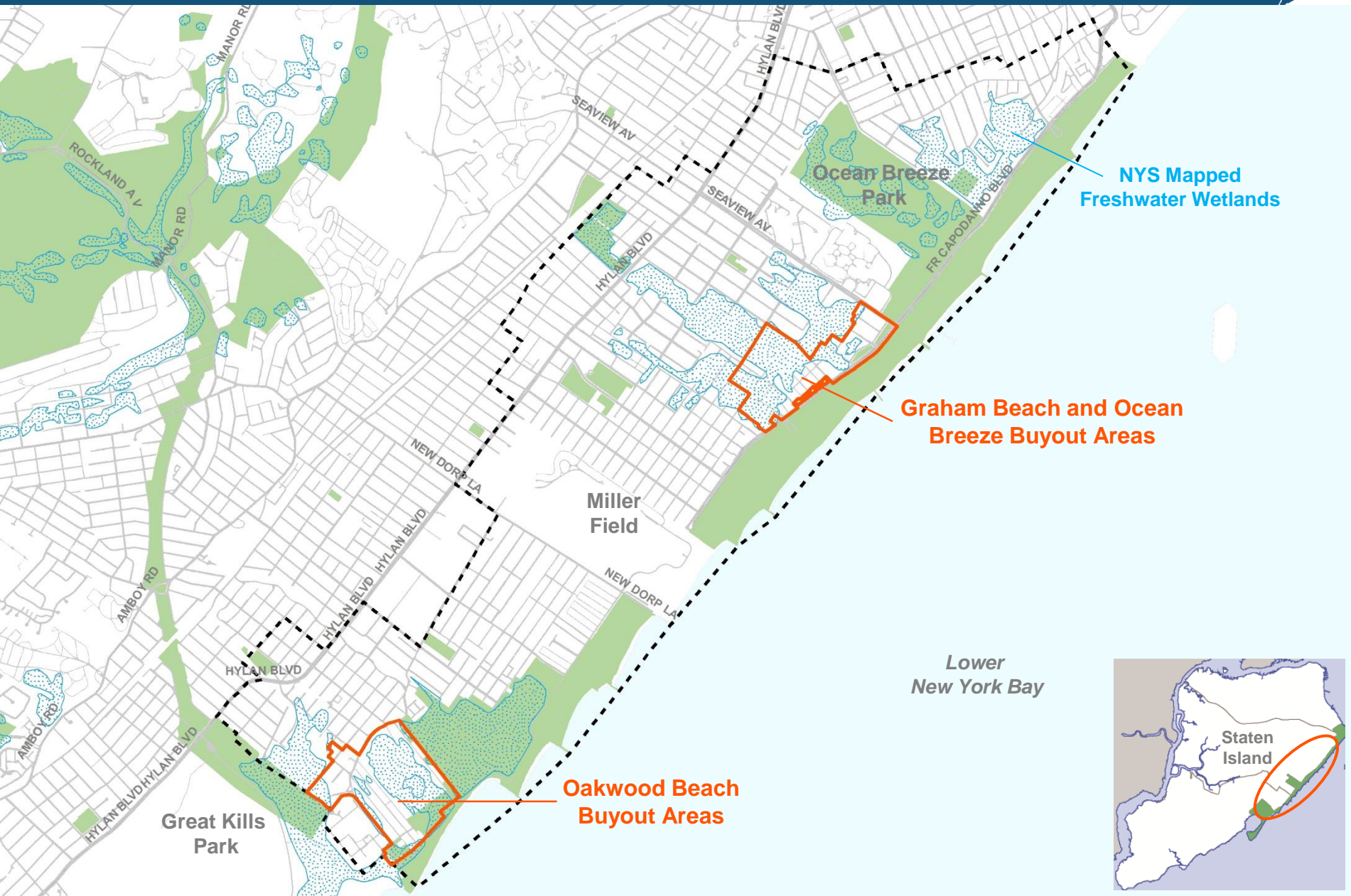


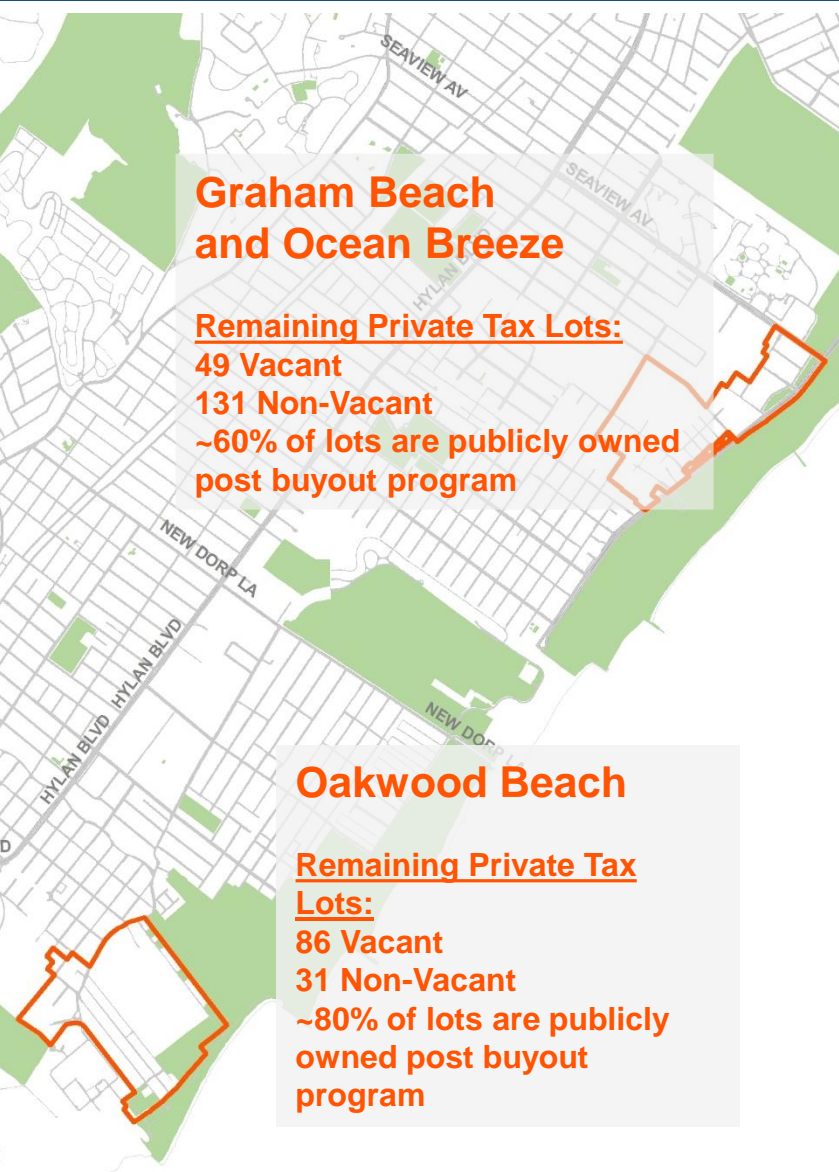
# Area Context





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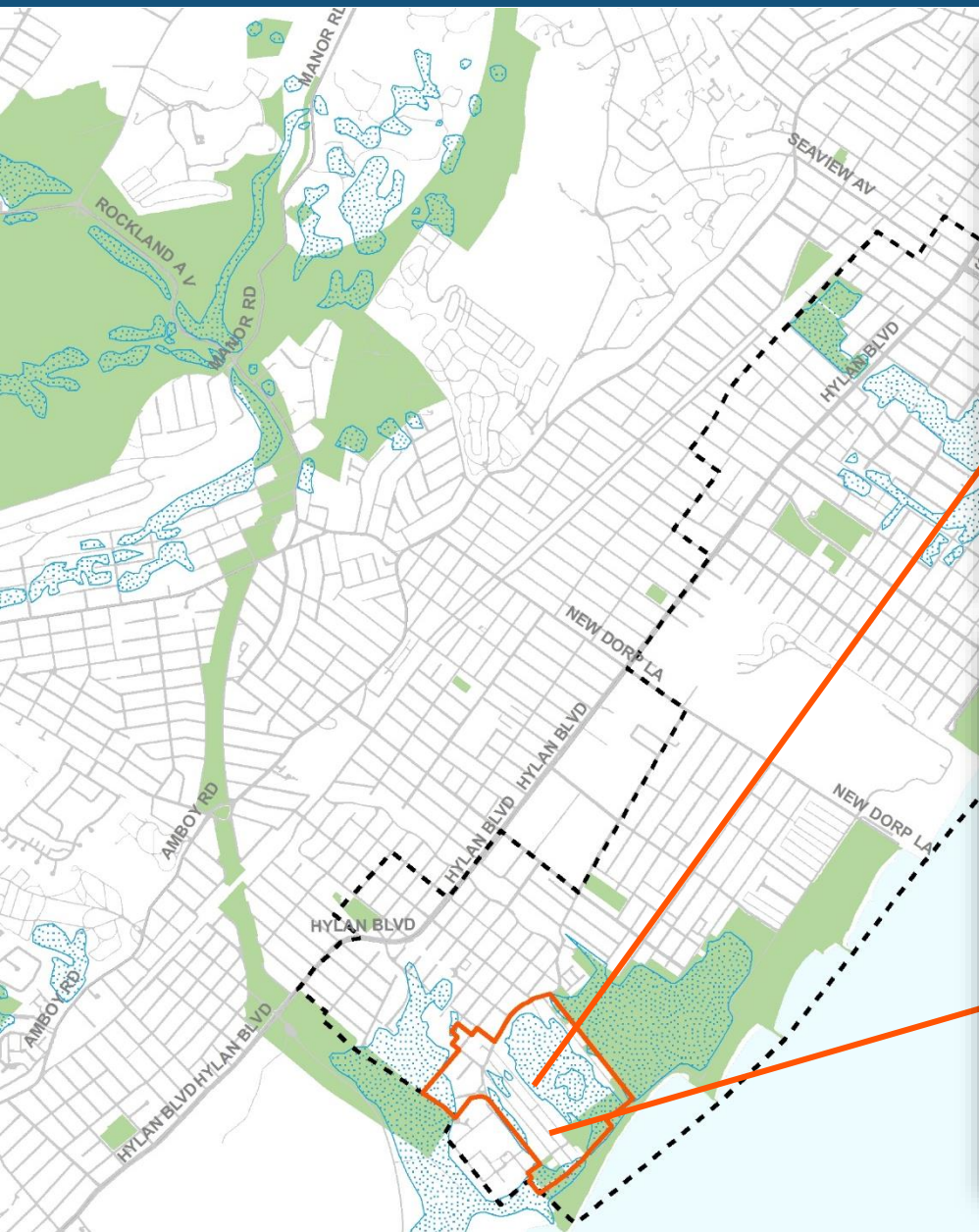


## Key Characteristics of NYS Buyout Program:

- Acquisition was available to homeowners in the **Ocean Breeze, Graham Beach, and Oakwood Beach** neighborhoods, which were designated on the basis of flood risk and majority of homeowner's desire to depart.
- Eligible homes purchased at pre-storm value
- Homes and vacant land are eligible for buyout
- Commercial properties are ineligible for buyout
- **Post-acquisition use restricted to open space**
- **Program is voluntary and some homeowners will choose to remain in Buyout Areas**



# Project Background



Oakwood Beach Buyout Area  
Fall 2016



Oakwood Beach Buyout Area  
Fall 2016



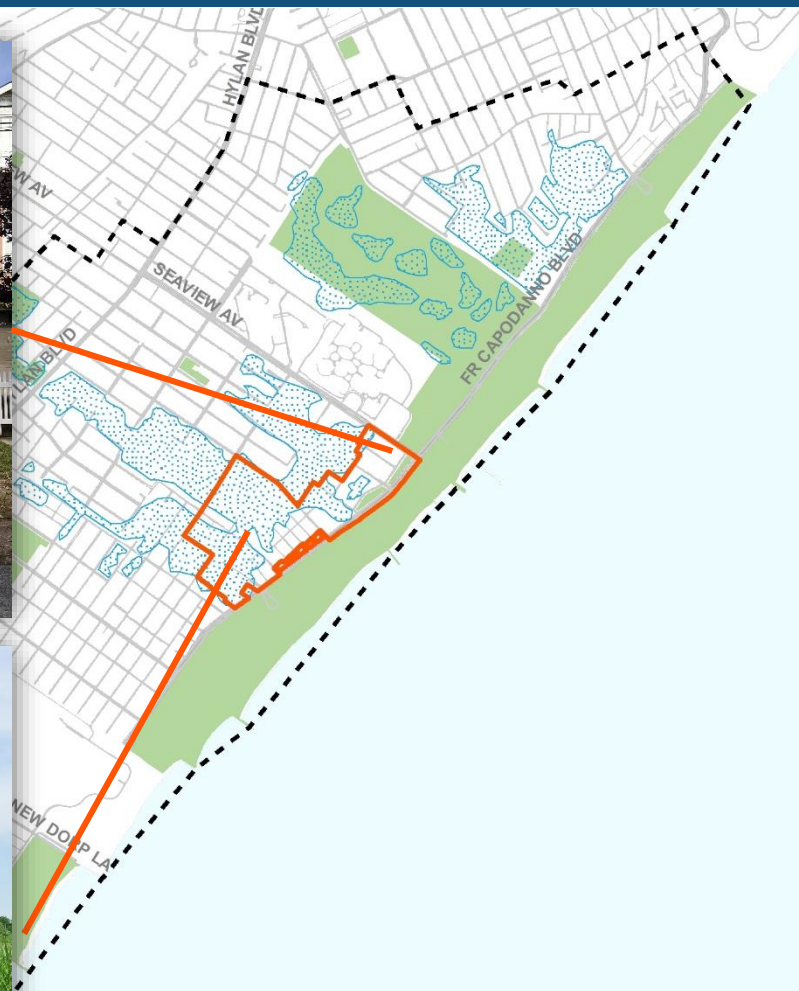


# Project Background

Graham Beach & Ocean Breeze  
Buyout Areas  
Fall 2016



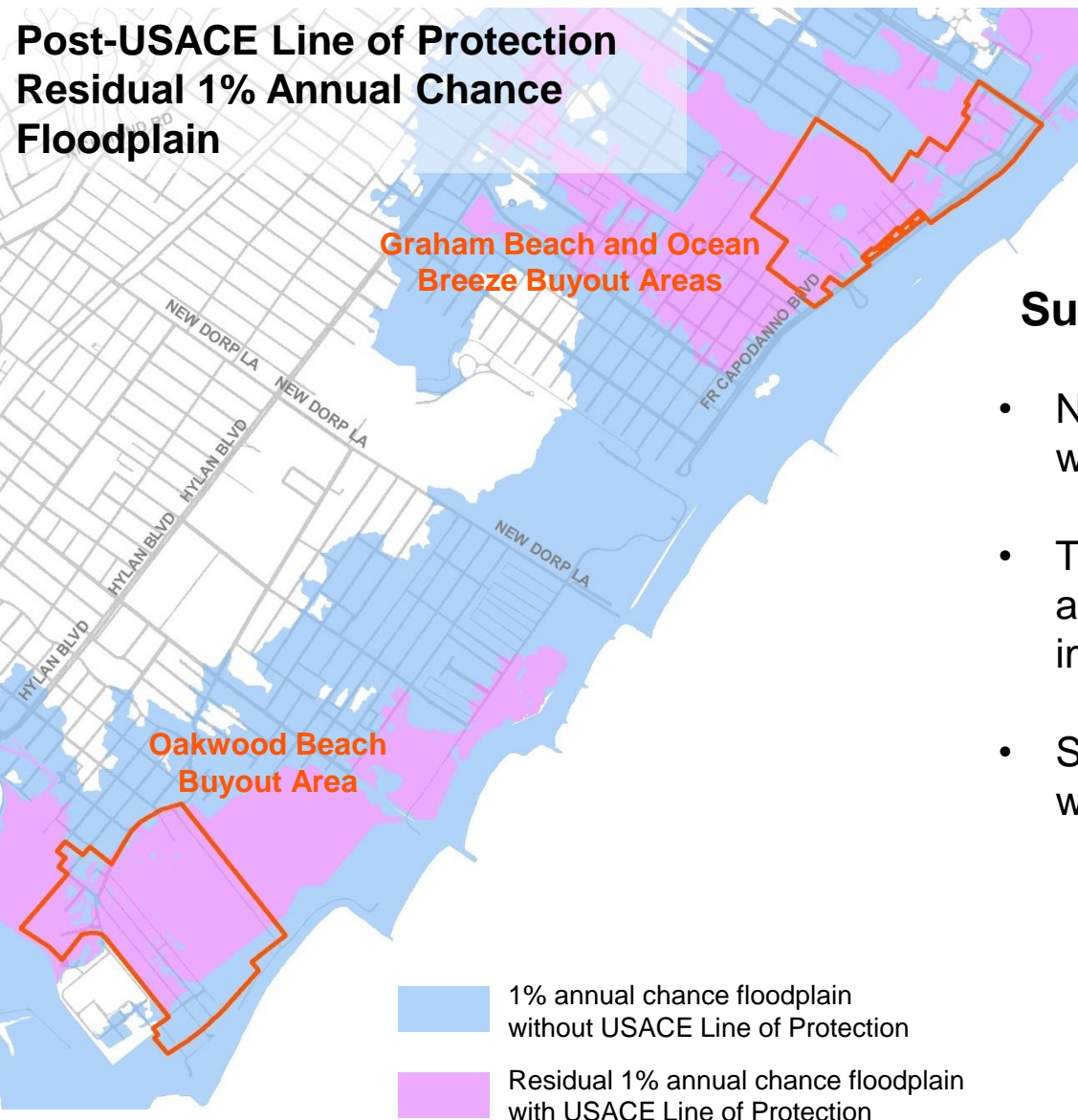
Graham Beach & Ocean Breeze  
Buyout Areas  
Spring 2014





# Project Background

## Post-USACE Line of Protection Residual 1% Annual Chance Floodplain

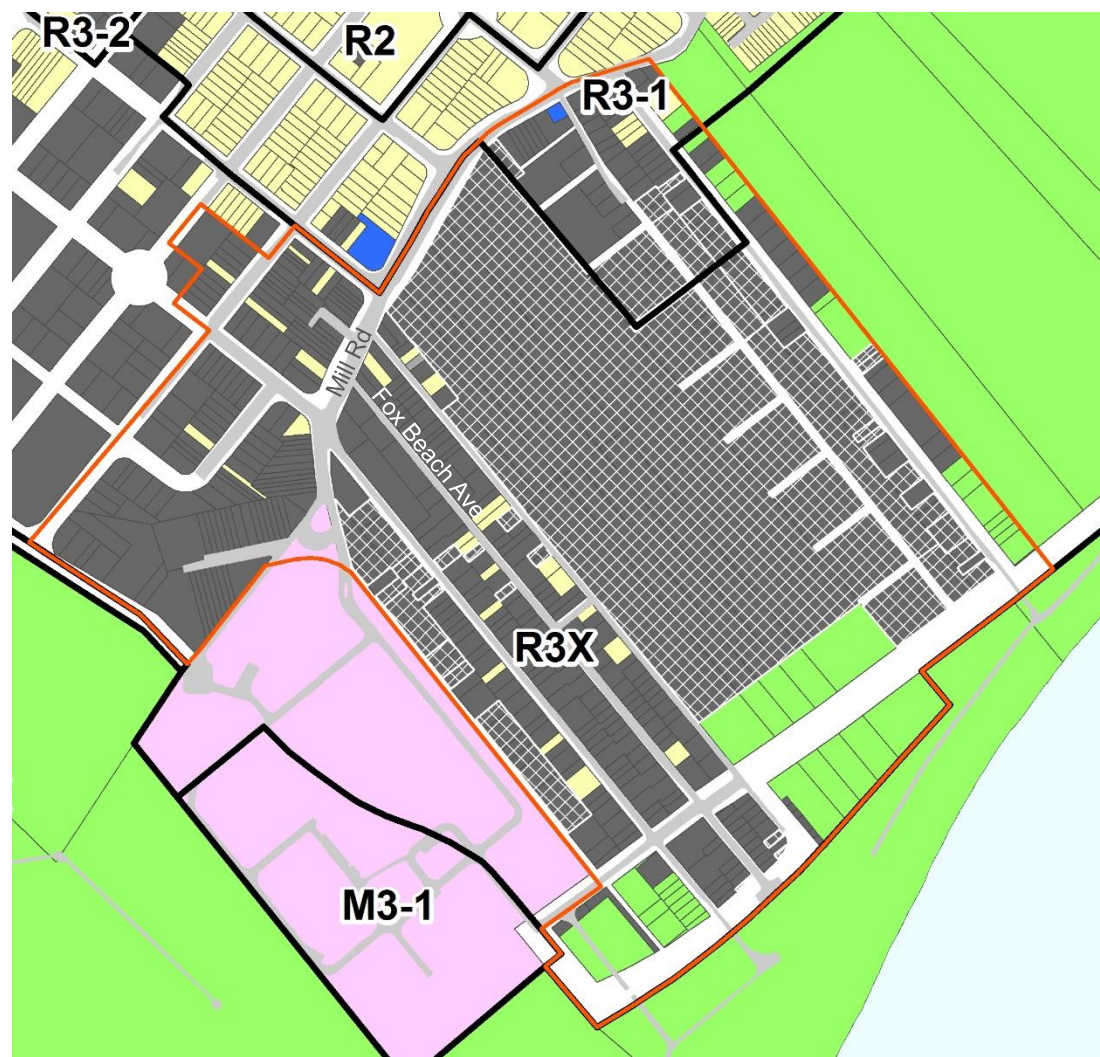


## Summary of Issues:

- Natural hazards, including flooding and wild fires, are risks to public safety
- The function of planned DEP Bluebelts and existing freshwater wetlands may be impaired by continued development
- State Buyout Program is voluntary and will not reach 100% participation

# Existing Zoning and Land Use

## Oakwood Beach Buyout Area



### R3X

- Allows single- and two-family detached residences, 0.6 max FAR, 35' max building height

### R3-1

- Allows one- and two-family detached and semi-detached residences allowed, 0.6 max FAR, 35' max building height



Privately-owned Vacant Lot



Vacant Lot



Oakwood Beach Buyout Area



# Existing Zoning and Land Use

## Graham Beach & Ocean Breeze Buyout Areas



### R3-2

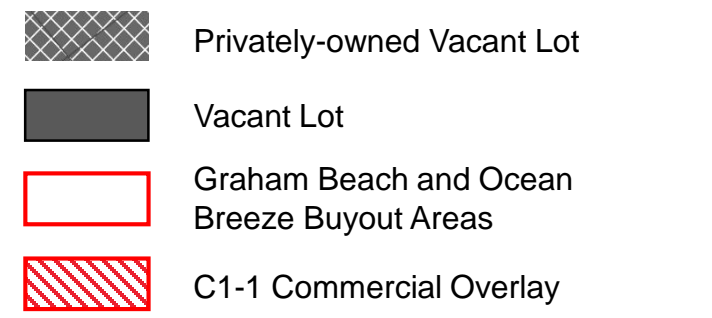
- Allows all residential building types, 0.6 max FAR, 35' max building height

### R3-1

- Allows one- and two-family detached and semi-detached residences, 0.6 max FAR, 35' max building height

### C1-1 Overlay

- Max commercial FAR is 1.0 when mapped in R3-2
- Permits local commercial uses
- Parking requirements vary by use - one off-street space is required per 150 sq. ft. of commercial floor area for general retail or service uses





# Existing Zoning and Land Use

Oakwood Beach Buyout Area



Graham Beach & Ocean Breeze Buyout Areas



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## Proposal Goals

- Align local zoning regulations with NYS's long-term vision for the Buyout Areas as open space
- Reduce risk to public safety by limiting future residential development in areas highly vulnerable to flooding and other natural hazards, while ensuring preservation of ecologically sensitive areas
- In commercial areas in Graham Beach, align commercial zoning with existing uses and building character, while providing relief from high parking requirements that may inhibit rebuilding after future floods.

## Required ULURP CPC Actions

### **Text Amendment**

- Approval by the CPC is required for a text amendment to apply a new East Shore Subdistrict of the Special Coastal Risk District to parts of the Oakwood Beach, Graham Beach, and Ocean Breeze neighborhoods

### **Zoning Map Change**

- Approval by the CPC is required for a zoning map change to reduce an existing C1-1 commercial overlay in the Graham Beach neighborhood and re-establish it as a C1-3 commercial overlay



# Special Coastal Risk District – East Shore Subdistrict



The proposed zoning strategy would establish the East Shore Subdistrict in the Zoning Resolution as part of the Special Coastal Risk District.

The East Shore Subdistrict would limit all new development to single-family detached residences to limit future residential density in the buyout areas.

To ensure sufficient review of new development, the Subdistrict would create a new CPC authorization for all new development and horizontal enlargements.

In addition, community facilities with sleeping or overnight accommodations would be prohibited. LDGMA limitations on certain community facility uses will be applied consistently across R3X, R3-1, and R3-2 districts such that the strictest limitations always apply.

\*Sandy-damaged buildings would be allowed to be rebuilt as-of-right and elevations and other minor repairs to existing buildings may be made as-of-right.



To authorize construction of one new residence, the CPC would find that:

- The proposed development minimizes potential impacts on natural drainage, open spaces, and wetland areas. The CPC may modify bulk rule (except FAR) to allow for additional buffering from wetlands.
- The proposed development would be located on an improved street serving other existing residences
- The proposed development minimizes risks to public safety from natural hazards, including flooding and wild fires

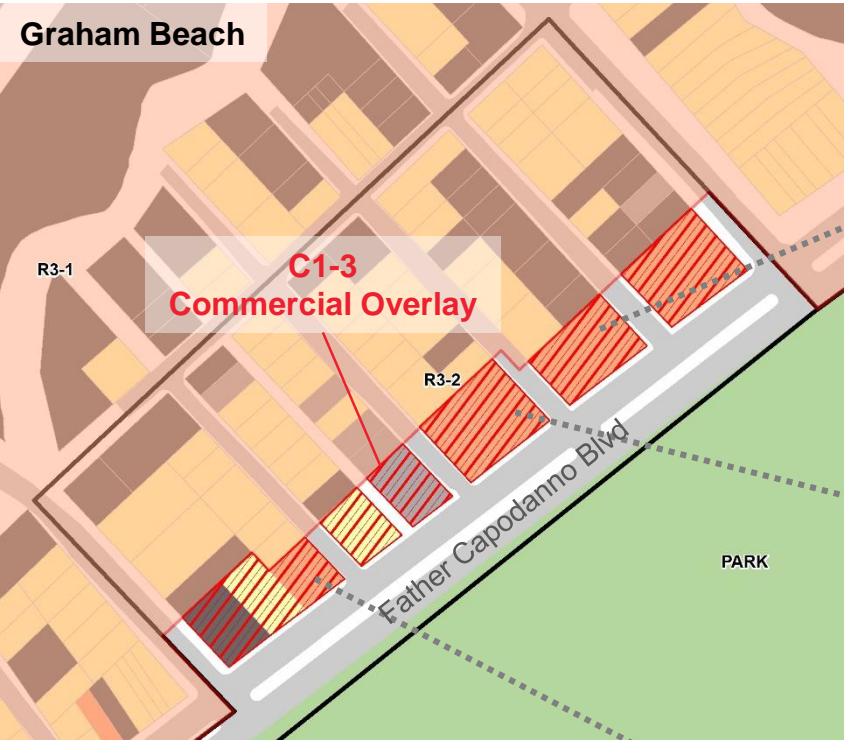


**To authorize construction of more than one new residence on a zoning lot, the CPC would find that:**

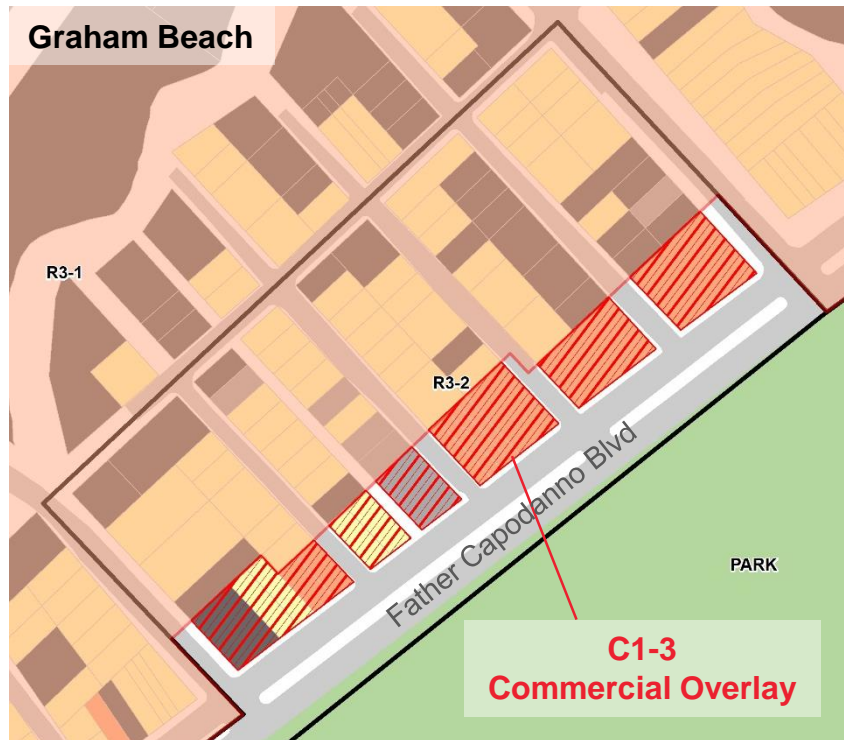
- The maximum number of residences on the zoning lot is calculated based on a minimum of 9,500 sq. ft. of lot area per residence, excluding delineated wetland area.
- The CPC could allow modifications to bulk regulations (except FAR) to allow residences to be sited in a manner that would achieve a superior site plan that preserves wetlands, minimizes the need for new infrastructure, and is consistent with the character of the surrounding area.



# Proposed C1-3 Overlay – Existing Businesses



# Proposed C1-3 Overlay



A rezoning of the commercial area in Graham Beach from C1-1 to C1-3 is proposed to match existing commercial uses and development patterns.

C1-1 generally require one space per 100 sq ft of commercial floor area;  
C1-3 generally require one space per 400 sq ft of commercial floor area

C1-1 and C1-3 permit the same range of commercial uses to serve local shopping needs and have the same maximum 1.0 FAR for commercial uses



