

COMMUNITY FACILITIES AND SERVICES

CHAPTER 6

As defined for CEQR analysis, community facilities are public or publicly funded schools, libraries, child care centers, health care facilities, and fire and police protection. Certain community facilities, such as facilities relating to the City's management of its solid waste, are separately assessed in Chapter 14, "Solid Waste and Sanitation Services." The CEQR analysis looks at a project's potential effect on the services provided by these facilities. A project can affect facility services when it physically displaces or alters a community facility or causes a change in population that may affect the services delivered by a community facility, as might happen if a facility is already over-utilized, or if a project is large enough to create a demand that could not be met by the existing facility.

The CEQR analysis examines potential impacts on existing facilities and generally focuses in detail on those services that the City is obligated to provide to any member of the community. These services also have precisely defined measures of utilization (e.g., enrollment/available seats for public education). The CEQR analysis is not a needs assessment for new or additional services. Service providers like schools or libraries conduct their own needs assessments on a continuing basis.

As with each technical area assessed under CEQR, the applicant should work closely with the lead agency during the entire environmental review process. The lead agency may determine it is appropriate to consult or coordinate with the City's expert technical agencies and service providers for the community facilities assessment. If so, the New York City Department of City Planning (DCP), the New York City Department of Education (DOE), the New York City School Construction Authority (SCA), the New York City Police Department (NYPD), the New York City Fire Department (FDNY), the New York Public Library (NYPL), the Brooklyn Public Library (BPL), the Queens Borough Public Library (QPL), the New York City Department of Health and Mental Hygiene (DOH), and the New York City Health and Hospitals Corporation (HHC) should be consulted, as appropriate, for information, technical review, recommendations, and mitigation relating to community facilities. These expert agencies should be contacted as early as possible in the environmental review process. Section 700 further outlines appropriate coordination with these expert agencies.

100. DEFINITIONS

Although many projects include some level of analysis of community facilities, not every environmental assessment examines every community facility. The community facilities (or resources) that may be addressed in environmental assessments include the following:

EDUCATIONAL FACILITIES. CEQR breaks down educational facilities analysis as it relates to three separate types of educational programs: Means-tested Early Childhood Programs (serving 0-4 years-olds), universal 3-K and Pre-K (serving 3-4 year-olds), and schools grades K-12 (serving students ages five and older).

MEANS-TESTED EARLY CHILDHOOD PROGRAMS

These programs include publicly financed EarlyLearn NYC (which includes Early Head Start and serves 0-2 year olds) and Extended Day/Year programs for 3-4 year-olds (funded by Head Start and Child Care Block Grants, which provide eight to ten hours of care year-round, beyond the regular hours of 3-K and Pre-K programs). EarlyLearn programs are run by community based organizations in child care centers or in private homes licensed to provide child care services with "group family child care" (serving 6 to 12 children) or "family child care" (serving 3 to 6 children). Extended Day/Year programs for 3-4 year olds are run by community based organizations, and may be located in individual locations or be co-located with universal 3-K and Pre-K. These programs are not universal and are designed to serve targeted populations, with eligibility depending on income and other factors. The Extended Day/Year programs for 3-4 year olds are not universal

and offer additional care beyond that offered by universal 3-K and Pre-K, and thus fall within this set of programming rather than the universal 3-K and Pre-K section.

Early Childhood Programs are analyzed in CEQR, wherever data is available. A space for one child in a child care center is called a “seat” (or a “slot”), and is the unit of analysis for Early Childhood Programs.

UNIVERSAL 3-K AND PRE-K

These programs are free and available for all 3-4 year old children across New York City. These programs are primarily school-day in length, and generally operate during the school year. Some of the programs are run by DOE staff while others are run by community based organizations; some are located in standalone centers while others are located in elementary schools.

At this time, universal 3-K and Pre-K are not analyzed quantitatively in CEQR; a predictive mechanism for demand generated from new developments is not yet available. Such mechanism may be developed as part of a 3-K and Pre-K analysis that will be included in a future release of the CEQR Technical Manual.

PUBLIC SCHOOLS

Public schools are free for all students ages five and older, and are operated and funded by DOE (charter schools are not considered public schools). Public schools include elementary schools (grades Kindergarten through 5, “PS”), middle schools (grades 6 through 8, “IS” or “MS”), and high schools (grades 9 through 12, “HS”). CEQR analysis excludes charter or private schools, regardless of location (some charter schools are co-located in buildings owned by SCA).

CEQR analyzes potential impacts to public elementary and middle schools at a local level (Community School sub-District), and to high schools at a borough-wide or citywide level. Schools are analyzed based on the potential for the project to cause overcrowding (*i.e.*, a shortage of seats for an age group within the district).

LIBRARIES. Public libraries as analyzed under CEQR are branch libraries operated by the New York Public Library, the Brooklyn Public Library, and the Queens Borough Public Library systems. The primary purpose of libraries is to provide information services, including written documents and computer resources, reference materials, audio and visual references, and educational services. The analysis of libraries generally focuses on the resources available to the population within the service area(s) of the library or libraries nearest to the proposed project. The library systems do not allocate resources based on proposed or projected developments, but continually evaluate the need for changes in personnel or resources and make adjustments as necessary.

HEALTH CARE FACILITIES. Health care facilities include public, proprietary, and non-profit facilities that accept public funds (usually in the form of Medicare and Medicaid reimbursements) and that are available to any member of the community. Generally, a detailed assessment of service delivery is conducted only if a proposed project would affect the physical operations of, or access to and from, a hospital or a public health clinic (see Section 210) or where a proposed project would create a sizeable new neighborhood where none existed before.

FIRE PROTECTION. Fire protection services include fire stations that house engine, ladder, and rescue companies. Units responding to a fire are not limited to those closest to it. Normally, more than one engine company and ladder company respond to each call and rescue companies also respond to fires or emergencies in high-rise buildings. The FDNY does not allocate resources based on proposed or projected developments, but continually evaluates the need for changes in personnel, equipment, or locations of fire stations and makes any adjustments necessary. Generally, a detailed assessment of fire protection service delivery is conducted only if a proposed project would affect the physical operations of, or access to and from, a station house (see Section 210) or where a proposed project would create a sizeable new neighborhood where none existed before (*e.g.*, Hunters’ Point South).

POLICE PROTECTION. The ability of the police to provide public safety for a new project usually does not warrant a detailed assessment under CEQR. The NYPD independently reviews its staffing levels against a precinct’s population, area coverage, crime levels, and other local factors. A detailed assessment of police protection service delivery is usually only conducted if a proposed project would affect the physical operations of, or access to and from, a precinct house (see Section 210) or where a proposed project would create a sizeable new neighborhood where none existed before (*e.g.* Hunters’ Point South).



OTHER COMMUNITY FACILITIES. Other community facilities, such as homeless shelters, jails, community centers, colleges and universities, or religious and cultural facilities are analyzed only if the facility itself is the subject of the proposed project or would be physically displaced or altered by the project. Assessments for direct effects for these kinds of facilities should be developed in consultation with the lead agency, DCP, and other appropriate city agencies. City-owned recreation centers are considered in the analysis of open space due to their location on parkland.

200. DETERMINING WHETHER A COMMUNITY FACILITIES ASSESSMENT IS APPROPRIATE

A community facilities analysis is needed if there would be potential direct or indirect effects on a facility. Detailed community facilities analyses are most commonly associated with residential projects because demand for community services generally results from the introduction of new residents to an area.

The community facilities analysis assesses the ability of community facilities to provide services both with and without the proposed project. Whether the project would have a potential impact is based on the likelihood that the project would create demand for services greater than the ability of existing facilities to provide those services. This can result from displacement of an existing facility, thereby increasing service demand at another facility, or by an increase in population.

The following provides guidance in determining whether a community facilities assessment is necessary.

210. DIRECT EFFECTS

If a project would physically alter a community facility, whether by displacement of the facility or other physical change, this "direct" effect triggers the need to assess the service delivery of the facility and the potential effect that the physical change may have on that service delivery. Temporary direct effects should also be considered (for example, the temporary closing of a facility during a phase of construction). See Section 300, "Assessment Methods and Detailed Analysis Techniques."

220. INDIRECT EFFECTS

Increased population in an area caused by a project would increase demand for existing services, which may result in potential "indirect" effects on service delivery. Depending on the size, income characteristics, and age distribution of the new population, there may be effects on public schools, libraries, or child care centers.

In general, the following thresholds may be used to make an initial determination of whether detailed studies are necessary to determine potential indirect impacts.

221. Public Schools

Potential impacts on schools may result if there would be insufficient seats available to serve the population. Because it is rare that a project physically displaces an operating school, impacts are more likely to occur when a project introduces school-age children to an area.

The basic analysis begins with a calculation of the additional school-age population that would be introduced by a project. The SCA's Projected Public School Ratio should be used to calculate the minimum number of residential units that could yield at least 50 elementary/middle school children, depending on the Community School District of the project. To estimate the student age population of a project, the number of residential units of the project should first be determined. Projects that would add residential units designed exclusively for seniors or single adults (HPD supportive housing) need not assess public school impacts. If appropriate, the applicant team should use the Projected Public School Ratio to estimate the number of elementary, middle, and high school students likely to be generated by the proposed project. Contact DCP for guidance regarding this analysis.



Table 6-1
Community Facility Thresholds for Detailed Analyses

	Public Schools		Early Childhood Programs	Libraries	Police/Fire Services and Health Care Facilities		
Thresholds for Detailed Analyses	50 or more elementary/middle school students (total of elementary and middle) or 150 or more high school students based on # of residential units (using the SCA's Projected Public School Ratio) OR Direct Effect		20 or more eligible children under age 5 based on # of low or low/moderate income residential units (based on Table 6-1a) OR Direct Effect	More than 5% increase in ratio of residential units to library branches (see below) OR Direct Effect	Introduction of Sizeable New Neighborhood (e.g. Hunters' Point South) OR Direct Effect		
Minimum Number of Residential Units that Trigger Detailed Analyses							
	Public Schools		Early Childhood Programs (low or low/moderate income residential units)	Libraries (5% increase in Units/Branch)	Police	Fire	Health Care Facilities
	Elementary/Middle	High School					
Bronx	Applicants should use their project's CSD's Projected Public School Ratio to determine the Threshold for Detailed Analysis in that CSD. For elementary/middle school, use the formula: 50 / (elementary school Public School Ratio + middle school Public School Ratio) For high schools use the formula: 150 / high school Public School Ratio		141	731	n/a	n/a	n/a
Brooklyn			110	834	n/a	n/a	n/a
Manhattan			170	1,033	n/a	n/a	n/a
Queens			139	663	n/a	n/a	n/a
Staten Island			217	679	n/a	n/a	n/a
Notes: The number of residential units that a project generates is the increment between the No-Action and the With-Action Scenarios, as determined by the Lead Agency-approved Reasonable Worst Case Development Scenario (RWCDs). Projects generating fewer residential units, per the approved RWCDs, than listed for each category in this table do not need to conduct a detailed analysis for these categories. The SCA's Projected Public School Ratio provides the Community School District-based multipliers for conducting a detailed analysis of public schools for both the No-Action and With-Action Scenarios. Table 6-1a provides the borough-based multipliers for conducting a detailed analysis of Early Childhood Programs for both the No-Action and With-Action Scenarios. Thresholds for library analyses are based on <i>Census 2000</i> , total occupied housing units and NYC Department of City Planning's <i>Selected Facilities and Program Sites in NYC, 1999</i> , branch and central/reference libraries.							



In general, as shown in Table 6-1 above, if a project would introduce more than 50 school-age children (elementary and middle school students), significant impacts on public schools may occur and further analysis of schools may be appropriate. Since high school-level students can usually elect to attend high schools outside their neighborhood, an analysis of high school impacts is rarely necessary. However, if the project would generate 150 or more high school students, there may be an impact on borough high schools, and further analysis may be appropriate.

Table 6-1a
Multipliers for Estimating the Number of Children Eligible
for Early Childhood Programs

Borough	Children under 6 years old per unit	Minimum Number of Low or Low/Moderate Income Residential Units to Yield 20 Children under 6
BRONX	0.139	141
BROOKLYN	0.178	110
MANHATTAN	0.115	170
QUEENS	0.140	139
STATEN ISLAND	0.090	217
<p>Notes: The multipliers are based on 2005-2007 American Community Survey data for children under age 6 at 200% Federal Poverty Level or below, and have been adjusted to account for the proportion of Group Child Care and Head Start slots relative to DOE's Child Care and Head Start total capacity (i.e., excludes Family Day Care Network and Voucher capacity from DOE's total capacity since locational data for Network and voucher slots is not readily available for study areas).</p> <p>Source: NYC Department of City Planning and NYC Department of Education</p>		

222. Early Childhood Programs

Publicly financed Early Childhood Programs are available for eligible children 5 and younger (until the child is eligible to attend Kindergarten for a fall start date). Families eligible for Early Childhood Program subsidized seats must meet financial and social eligibility criteria as established by DOE. In general, children in families that have incomes at or below 200% Federal Poverty Level (FPL), depending on family size, are financially eligible, although in some cases eligibility can go up to 275% FPL. The family must also have an approved "reason for care," such as involvement in a child welfare case or participation in a "welfare-to-work" program. Projects that would produce substantial numbers of subsidized, low- to moderate-income family housing units may therefore generate a sufficient number of eligible children to affect the availability of seats at publicly funded Early Childhood Programs. If the project would generate 20 or more eligible children under age 5, further analysis may be appropriate. Table 6-1 above calculates by borough the minimum number of low- to moderate-income housing units that could yield at least 20 children under 5 eligible for publicly financed early childhood education services, based on Table 6-1a. The City's affordable housing market is reliant on the Area Median Income (AMI) rather than the Federal Poverty Level (FPL). Since family incomes at or below 200% FPL fall under 80% AMI, for the purposes of CEQR analysis, the number of housing units expected to be subsidized and targeted for incomes of 80% AMI or below should be used as a proxy for eligibility. This provides a conservative assessment of demand, since eligibility for subsidized child care is not defined strictly by income (generally below 200% of poverty level), but also takes into account family size and other reasons for care (e.g., low-income parent(s) in school; low-income parent(s) training for work; or low-income parents who are ill or disabled).



223. Libraries

Potential impacts on libraries may result from an increased user population. A noticeable change in service delivery is likely to occur only if a library is displaced or altered, causing people to use another library in the area, or if a project would introduce a large residential population (*i.e.*, greater than a five percent increase in housing units served).

Table 6-1 lists the minimum number of residential units that trigger a detailed analysis for libraries by borough. If the proposed project would increase the average number of residential units served by library branches in the borough in which the project is located by more than five percent, the project may cause significant impacts on library services and further analysis is needed.

300. ASSESSMENT METHODS

If the preliminary analysis (Section 200) indicates that more detailed analyses are necessary for certain community facilities, the following approach may be used. This approach generally consists of delineating one or more study areas for the potentially affected community facilities, gathering information on current and future utilization levels and any plans for expansion, and, finally, assessing the potential impact of the project on community facilities.

310. STUDY AREAS

The study areas for detailed analyses are different for each type of facility and are described below (Subsections 311-315). The community facilities examined in detailed analyses should be identified on maps that show the project site and area facilities, with the study area delineated (*e.g.*, a line showing 0.5-mile radius from the project site). For a generic or programmatic project, a map for each neighborhood or district affected by the proposed project may need to be provided for those areas where the thresholds for preliminary analyses have been exceeded.

In addition, if a community facility is to be directly affected by the proposed project, such as through the taking of land area or portion of a building used by the facility, it is sometimes helpful to provide a site plan or floor plan of the facility that shows the nature of the direct impact.

Information for the initial identification of community facilities in the study area may be obtained from the *Selected Facilities and Program Sites in New York City* database and the *Gazetteer of City Property* (See Section 737). This information may be verified through field surveys and contact with relevant oversight agencies (see Section 730).

311. Public Schools

The study area for the analysis of elementary and middle schools should be the school district's "sub-district" in which the project is located. The GIS files for the sub-district boundaries ("regions" or "school planning zones") are available, upon request, from DCP. If the project or area rezoning straddles two or more school districts or sub-districts, contact DCP to determine the appropriate study areas for analysis. The locations of the elementary and middle schools should be shown on a map of the school district, with the sub-district study area delineated on the map. A scale bar should be provided on the map. If necessary, a separate map for elementary schools should be provided. If the threshold for examination of potential impacts on high schools has been exceeded, the study area for the high school analysis should be the borough in which the project is located. In addition, the location of the high school(s) near the area in which the project is located (within approximately a mile) should also be shown.

312. Early Childhood Programs

The locations of publicly funded Early Childhood Programs within approximately 1.5 miles of the project site should be shown. The size of the study area in transit-rich areas may, in consultation with the DCP, be somewhat larger than 1.5 miles. Since there are no locational requirements for enrollment in an Early Childhood Program, some parent/guardians choose a center close to their employment rather than their residence. Nevertheless, the centers closest to the project site are more likely to be subject to increased demand.



313. Libraries

The focus of the analysis is on branch libraries and not on the major research libraries that may fall within the study area. Library branch catchment areas are typically not more than three-quarters of a mile, which is the distance that one might be expected to travel for such services. If no library branch exists within a three-quarter-mile radius of the project site, the study area should be extended until the nearest library branch is identified. If the study area includes more than one branch, all branches of approximately equal distance should be considered. Each identified branch library within the study area should be shown on a map.

314. Health Care Facilities

In general, the location of hospitals and public health clinics serving the site should be indicated on the community facilities map only if the hospitals or public health clinics would be physically affected by the proposed project (*i.e.*, Direct Effect), or if the proposed project would introduce a sizeable new neighborhood where none existed before. If an analysis is being conducted, identify the locations of these facilities on a community facilities map (or on a separate Health Care Facilities map).

315. Fire Protection

In general, the location of the fire station(s) serving the site should be indicated on the community facilities map only if the station(s) would be physically affected by the proposed project (*i.e.*, Direct Effect), or if the proposed project would introduce a sizeable new neighborhood where none existed before. If an analysis is being conducted, identify the locations of these facilities on a community facilities map (or on a separate Fire/Police Protection Services map).

316. Police Protection

In general, the location of the police station(s) serving the site should be indicated on the community facilities map only if the station(s) would be physically affected by the proposed project (*i.e.*, Direct Effect) or if the proposed project would introduce a sizeable new neighborhood where none existed before. If an analysis is being conducted, identify the locations of these facilities on a community facilities map (or on a separate Fire/Police Protection Services map).

320. DETAILED ANALYSIS TECHNIQUES

Detailed community facilities analyses are often conducted for individual facilities that may be affected by a project; for large residential projects, multiple facilities may need to be analyzed. The following process may be followed in conducting these detailed analyses.

321. Direct Potential Impact

If the proposed project would displace or alter a community facility (*i.e.*, Direct Effect), it is expected that the affected agency may conduct its own assessment to determine the impact of the proposed project on its facility and its constituents. The CEQR analysis should be coordinated with the affected agency's assessment. At a minimum, the analysis should document the name and location of the facility, as well as its type (*e.g.*, school, library), the services it provides, its size (*e.g.*, 600 seats, square footage), and its hours of operation. The population and/or area served by the facility (*e.g.*, income level, age groups, residents vs. workers, repeat or one-time users) and the facility's capacity, including excess or deficiency of capacity (*e.g.*, school seats, volumes per capita), should be determined. It may be helpful to provide a site plan or floor plan of the facility that shows the amount of land area or portion of a building that would be directly affected. Based on how the project would change the affected facility, determine the extent to which service would be disrupted or precluded. If elimination or disruption of service would place additional demand on other nearby facilities, it may be appropriate to examine the indirect effects on those facilities caused by the initial direct impact, following the methodology described in Subsection 322.



322. Indirect Potential Impact

The following methodologies may be used to assess increased demand on community facilities.

322.1. Public School Analysis

EXISTING CONDITIONS

Identify the elementary and middle schools within the sub-district study area. For assistance in identifying the schools, contact DCP. The following information for each school should be provided:

- School identification by number (e.g., P.S. 24) and address;
- Current enrollment;
- Target Capacity (which assumes maximum classroom capacity of 20 children per class for grades K-3; 28 children for grades 4-8; and 30 children for grades 9-12);
- Number of available seats;
- Target utilization rate; and
- Grades served.

In addition to the sub-district study area schools, identify, for informational purposes, the “zoned” elementary and middle schools that would serve students generated by the proposed project. These may be different from those that fall within the sub-district study area, as specified in Subsection 311. Identify any unusual school zone situations. For instance, students living within a relatively small area in Flushing are not zoned to the nearest or nearby elementary schools but are zoned to one of several elementary schools located in other parts of the school district. If the school district has a program of “middle school choice,” this should also be noted in the text, and the analysis should be performed at the sub-district- and school district-level for middle schools.

The latest available data on enrollment, capacity, available seats, and utilization rates for all elementary and middle schools within the sub-district study area should be provided, including any, Mini-Schools, and Annexes that are part of these school organizations. Enrollment, but not capacity, of Transportable Classroom Units (TCUs) should also be provided. Total enrollment, capacity, available seats, and utilization rates for the school district should also be provided. Capacity, and therefore available seats and utilization rates calculations should exclude TCUs. Enrollment, capacity, and utilization information is available in the DOE’s [Utilization Profiles: Enrollment/Capacity/Utilization “Classic Edition” publication](#), which is updated annually. This information may be easier to comprehend when presented in a table.

If there are PS/IS or IS/HS schools in a school district, it may be necessary to request additional information from the DCP in order to align the enrollment projections with the capacity data in the Utilization Profiles.

Charter schools, including charter schools housed in DOE buildings, should not be included in the impact analysis, although information on them (name, address, and enrollment) may be provided in the text. Charter school enrollments are based on lotteries, with preferences made for students living within the school districts in which they are located, and not within smaller areas. Charter school enrollments are not included in DOE enrollment projections. If charter schools are co-located in DOE buildings, exclude the charter school enrollment and capacity from the impact analysis. Similarly, elementary and middle schools that draw students from a large area (i.e., borough) such as Mark Twain Gifted and Talented in Brooklyn or PS 499 in Queens should be excluded from the analysis. If such schools are co-located in DOE buildings, exclude the organization’s enrollment and capacity from the impact analysis. Contact DCP if further guidance regarding charter schools is necessary.



If a high school analysis is warranted, similar information may be provided for high schools in or near the project area, as well as for the borough as a whole. Borough high school data may need to be compiled from several sections of the Utilization Profiles “Classic Edition” which currently organizes high schools by school district geography.

NO-ACTION SCENARIO

The SCA’s designated enrollment projections should be obtained by contacting SCA and/or DCP. If possible, the projection series (e.g., *Projected 2018-2027*) to be used should coordinate with the Utilization Profile data (e.g., *Utilization Profiles: Enrollment/Capacity/Utilization for 2019-2020*). Otherwise, use the latest available projection series and/or utilization data. The enrollment projections include a separate projection for ungraded special education (SE) students that are enrolled in the general education schools. For CEQR analysis, these SE students should be added (proportionally) to the projections for elementary (grades K-5) and middle (grades 6-8) for the appropriate projected Build Year. The following method should be used to proportionally distribute the SE students to the elementary and middle projections: Divide the K-5 enrollment (without SE) by the total District enrollment (without SE) and apply the resulting percentage to the SE enrollment. Add the product to the K-5 enrollment to calculate the total K-5 enrollment; middle enrollment projections should be handled the same way.

Example: Using Grier Enrollment Projection Series (Actual 2007, Projected 2008-2017), CSD 30’s 2017 projected elementary (K-5) is 18,480, the middle (6-8) is 7,591, the total enrollment (without SE) is 26,071, and the SE (ungraded) is 3,308.

Calculation:

Step 1: $18,480 / 26,071 = 0.709$

Step 2: $0.709 \times 3,308 = 2,345$

Step 3: $2,345 + 18,480 = 20,825$ (Projected PS enrollment -including SE- for 2017 Build Year)

The projected enrollment for the sub-district study area and the school district form the base of the No-Action analysis. SCA’s [Enrollment Projections](#) should be used in conjunction with SCA-approved percentages for calculating sub-district enrollment projections, which should be obtained from DCP.

The number of students generated by the No-Action Scenario for the sub-district study area should be obtained from DCP. These numbers are derived from the SCA’s [Projected New Housing Starts](#) and the Projected Public School Ratio for the most recent Five Year Capital Plan. The SCA has developed these estimates for their capital planning purposes.

In addition to enrollment projections, information on projected changes that may affect the availability of seats in the schools within the study area in the future without the project, including plans for changes in capacity, new programs, capital projects, and improvements, should be obtained by contacting DCP.

- Since the DOE is actively engaged in an ongoing process of repurposing underutilized school space, either for its own programs or for charter Schools, a school building that is significantly underutilized in the existing condition may be programmed to include a new school organization in the near future. In this case, the available capacity may be radically altered within a few months of when the assessment is made. Information on proposed and adopted “Significant Changes in School Utilization” should be obtained from the [Panel for Education Policy’s public notice website](#). Only adopted “Significant Changes in School Utilization” plans can be *used to adjust available capacity* within the sub-district study area.



- The SCA's *Five Year Capital Plan* may provide for new capacity for the study area and/or the school district. New seats should be included in the quantitative analysis for projects in the *Five Year Capital Plan* that have commenced construction. If construction has not commenced, new seats for projects in the *Five-Year Capital Plan* may be included in the quantitative analysis if the lead agency, in consultation with SCA, concurs that it is appropriate under the circumstances. Data on schools under construction can be found in NYC Open Data's [Active Projects Under Construction](#) and [Capacity Projects by School](#). Contact DCP for information on more recent capacity projects.
- The capacity of TCUs, Mini-schools, and Annexes within the study area(s) should, for the most part, be excluded from the future No-Action and future With-Action condition because the capacity is temporary. A list of these temporary facilities that should be excluded may be obtained from DCP.

If a more detailed assessment is needed for high schools, it should be handled using the same general method as the elementary/middle school district level analysis for the high schools within the borough in which the project is located. The No-Action Reasonable Worst Case Development Scenario (RWCDs) for a borough high school analysis should be obtained from the SCA's [Projected New Housing Starts](#) for the most recent Five Year Capital Plan. Aggregate the school districts into borough totals (*i.e.*, CSDs 1-6 in Manhattan; CSDs 7-12 in the Bronx; CSDs 13-23 and 32 in Brooklyn; CSDs 24-30 in Queens; and CSD 31 in Staten Island). Use the borough total for the No-Action borough high school analysis.

WITH-ACTION SCENARIO

To estimate the number of elementary- and middle-level school children that would be generated by a project, multiply the new number of housing units by the SCA's [Projected Public School Ratio](#) for the proposed project's CSD. Add the projected demand (number of students generated by the proposed project) to the projected enrollment for the sub-district study area and the school district in the future No-Action. This assessment becomes the With-Action Scenario projection. The available capacity or resulting deficiency in school seats for the sub-district study area and the school district as a whole in the case of elementary and middle schools, or for the borough at the high school level, should be calculated.

If the proposed project would include the construction of new schools or other measures that result in additional seats, such seats should be included in the future capacity estimates, and the proposed school's location, number of seats, grades served, and other appropriate details, should be included. Similarly, if a project includes other measures intended to alleviate capacity constraints in the With-Action scenario, those measures should be disclosed and, based upon consultation DCP, may be taken into account when determining whether the project would result in a significant adverse impact to schools.

In the event the proposed project would eliminate a school without proposing a replacement, those students from the affected facility would be allocated to nearby schools, and the effect on the schools receiving the students would then be analyzed. It is recommended that this allocation be made with direct input from DOE.

322.2. Early Childhood Programs

EXISTING CONDITIONS

For the quantitative analysis, information on existing publicly funded Early Childhood Programs within the study area obtained from DOE's Division of Early Childhood Education should be provided, including the location, number of seats (capacity), and enrollment (utilization). Care should be taken to avoid double counting capacity at the same locations since community-based organizations may receive multiple funding sources for Early Childhood Programs (*i.e.* both DOE and direct federal Head Start funding).



NO-ACTION SCENARIO

Since enrollment projections for Early Childhood Programs are not available, CEQR analysis assumes that the existing enrollment and capacity would stay the same for the build year and be the baseline for the No-Action Scenario (unless affordable housing is identified, see below). However, DOE should be contacted to obtain information on any changes planned for Early Childhood Programs or facilities in the area of the proposed project, including closing or expansion of existing facilities and establishment of new facilities that would affect capacity in the build year. If changes are planned, they are incorporated into the No-Action Scenario's capacity.

The number of eligible housing units, as outlined in the RWCDs for the No-Action Scenario should be identified. Table 6-1a should be used to estimate the number of eligible children under age 5 based on the No-Action RWCDs. For example, a 200-unit low-income affordable housing project in the Bronx may be expected to yield 28 children under the age of 5. Major planned residential development projects that include a substantial number of affordable housing units within the study area should also be considered in the No-Action Scenario.

Add the projected demand (number of eligible children generated by the No-Action Scenario) to the existing group Early Childhood Program enrollment for the study area. The available capacity or resulting deficiency in "seats" and the utilization rate for the study area should be calculated. This assessment becomes the No-Action Scenario projection.

WITH-ACTION SCENARIO

Table 6-1a should be used to estimate the number of eligible children generated by the proposed project. Add the projected demand (number of eligible children generated by the proposed project) to the projected Early Childhood Program enrollment for the study area in the future No-Action. The available capacity or resulting deficiency in "seats" and the utilization rate for the study area should be calculated. This assessment becomes the With-Action Scenario projection.

322.3. Libraries

EXISTING CONDITIONS

The detailed analysis of libraries includes a brief description of existing libraries within the study area, their information services, and their user population. The population profile developed for the economic assessment in Chapter 5, "Socioeconomic Conditions," may be used to describe the existing population served. The relevant library system (New York Public Library, Brooklyn Public Library, Queens Library), or DCP, should be contacted to obtain available information on services provided and circulation, as well as an assessment of existing conditions and levels of utilization. At a minimum, the branch holdings (books, CD-ROMs, DVDs, Videotapes, etc.) and circulation data (from DCP's NYC Facilities Explorer) should be identified.

"Holdings" per resident may be estimated to provide a quantitative gauge of available resources in the applicable branch libraries in order to form a baseline for the analysis.

NO-ACTION SCENARIO

To determine the future No-Action Scenario, estimate the future population in the study area based on information in the demographic and socioeconomic analyses (*e.g.*, average household size). Information from the New York Public Library, Brooklyn Public Library, Queens Borough Library, as appropriate, concerning any planned new branches serving the study area and changes to existing branches, including building additions and the size of collections and special programs, should be obtained.

Using the information gathered for the existing conditions, "holdings" per resident in the No-Action Scenario is then estimated.



WITH-ACTION SCENARIO

The estimated population to be added by the proposed project should be determined. Add the future population to that of the No-Action population and determine the project's effects on the library's ability to provide information services to its users.

"Holdings" per resident in the With-Action Scenario should be estimated and compared to the No Action "holdings" estimate. This information may be easier to comprehend when presented in a table.

If the proposed project would directly affect a library branch, a qualitative assessment of the effects of that change should be provided. With input from management staff at the affected library branch and the branches that would be expected to absorb the demand, the effects of the added population (including the No-Action and With-Action Scenarios) on special programs, facilities, or collections should be qualitatively discussed.

322.4. Health Care Facilities

EXISTING CONDITIONS

If the proposed project would displace or alter a hospital or public health clinic, the analysis should document the name and location of the facility, its size, and its population and/or service area. If the proposed project would either introduce a sizeable new neighborhood where one has not previously existed or displace or alter a hospital or public health clinic, the location of hospitals and public health clinics that would be directly affected by the proposed project and their service areas should be documented.

NO-ACTION SCENARIO

The Health and Hospitals Corporation (for hospitals) or the Department of Health and Mental Hygiene (for public health clinics) should be contacted for information that may be useful in assessing the future No-Action Scenario. Documentation of physical changes planned for hospitals or public health clinics expected in the future No-Action Scenario may be appropriate for the assessment. In addition, new projects and population that would be added to the service area in the future No-Action Scenario should be summarized.

WITH-ACTION SCENARIO

The Health and Hospitals Corporation or the Department of Health and Mental Hygiene (as appropriate) should be consulted to develop the appropriate assessment for determining the effects of a proposed project. The following information should be provided:

- Location of project site or affected area (address and tax blocks and lots);
- Physical size of the proposed project's land area (square feet);
- Predominant building types expected for project and No-Action Scenario projects;
- Number of residential units; and
- Description of uses and activity patterns (see Chapter 4, "Land Use, Zoning, and Public Policy").

The appropriate agency's assessment, which should be provided in a letter or other official documentation, is then used by the lead agency in making its own assessment of the project's effects.

322.4. Fire Protection

EXISTING CONDITIONS

If the proposed project would displace or alter a fire protection services facility, the analysis should document the name and location of the facility, its size, and its population and/or catchment area. If the proposed project would either introduce a sizeable new neighborhood where one has not previously existed or displace or alter a fire protection services facility, the location of those stations serving the area in which the proposed project would be located or those stations that would be directly affected by the project should be documented.



Other information, such as the type of equipment at those stations, may also be useful. The Fire Department should be contacted for the appropriate information (service area, service issues, etc.).

NO-ACTION CONDITION

The FDNY should be contacted for information that may be helpful to document physical changes planned for station houses or equipment additions to the service area for the future No-Action scenario. In addition, summarize new projects and population that would be added to the service area in the future No-Action condition.

WITH-ACTION CONDITION

The FDNY should be consulted to develop the appropriate assessment for determining the effects of a proposed project. The following information should be provided:

- Location of project site or affected area (address and tax blocks and lots);
- Physical size of the proposed project's land area (square feet);
- Predominant building types expected for project and No-Action projects;
- Number of residential units; and
- Description of uses and activity patterns (see Chapter 4, "Land Use, Zoning, and Public Policy").

The FDNY's assessment, which should be provided in a letter or other official document, is then used by the lead agency in making its own assessment of the project's effects.

322.5. Police Protection

EXISTING CONDITIONS

If the proposed project would displace or alter a police services facility, the analysis should document the name and location of the facility, its size, and its population and/or service area. If the proposed project would either introduce a sizeable new neighborhood where one has not previously existed or displace or alter a police services facility, the location of precinct houses that would be directly affected by the proposed project and their service areas should be documented.

NO-ACTION CONDITION

The NYPD should be contacted for information that may be useful in assessing future No-Action conditions. Documentation of physical changes planned for station houses expected in the future No-Action scenario may be appropriate for the assessment. In addition, new projects and population that would be added to the service area in the future No-Action condition should be summarized.

WITH-ACTION CONDITION

The NYPD should be consulted to develop the appropriate assessment for determining the effects of a proposed project. The following information should be provided:

- Location of project site or affected area (address and tax blocks and lots);
- Physical size of the proposed project's land area (square feet);
- Predominant building types expected for project and No-Action projects;
- Number of residential units; and
- Description of uses and activity patterns (see Chapter 4, "Land Use, Zoning, and Public Policy").

The NYPD's assessment, which should be provided in a letter or other official documentation, is then used by the lead agency in making its own assessment of the project's effects.



400. DETERMINING IMPACT SIGNIFICANCE

The determination of whether an impact on a community facility would be significant is based on whether the people in the area would have adequate service delivery in the future with the project. Generally, the same assessment of service delivery is appropriate whether the potential effects of the project would be direct or indirect. If service delivery would deteriorate to unacceptable levels as a result of a substantial (more than five percent) increase in population served by a facility, a significant impact may result.

410. PUBLIC SCHOOLS

For the purposes of CEQR analysis, a utilization rate of 100% is the threshold for overcrowding. A significant adverse impact is calculated differently for elementary/middle schools and high schools.

Elementary and Middle Schools

A significant adverse impact may result, warranting consideration of mitigation, if the proposed project would result in both of the following:

- A utilization rate of the elementary or middle schools that is equal to or greater than 100% in the With-Action Condition; and
- 100 or more new students generated from the proposed development past the 100% utilization rate.

To illustrate, if the utilization rate in the With-Action condition is 103% and the project is expected to generate 174 students, the project would result in a significant adverse schools impact. However, if a project includes components which do not provide additional capacity but are intended to reduce school capacity constraints, the lead agency, in consultation with DOE and SCA, may take these project components into account to determine whether the project will cause a significant adverse impact.

In the event that the utilization rate in the No-Action condition is below 100%, only the anticipated students generated after 100% utilization is reached should be considered towards “100 or more new students” condition. To illustrate, a project may be expected to generate 200 students and have a No-Action condition utilization rate of 98% (120 available seats) and a With-Action condition utilization rate of 101%. If it takes the project 120 students to reach 100% utilization, the project only generates 80 students “past the 100% utilization rate” and would not have a significant adverse impact.

High Schools

A significant adverse impact may result, warranting consideration of mitigation, if the proposed project would result in both of the following:

- A utilization rate of the high schools that is equal to or greater than 100% in the With-Action Condition; and
- An increase of five percentage points or more in the utilization rate between the No-Action and With-Action conditions.

To illustrate, if the utilization rate in the No-Action condition is 98% and the utilization rate in the With-Action condition is 103%, the project would result in a significant adverse schools impact.

For all grade levels, if a project includes components which do not provide additional capacity but are intended to reduce school capacity constraints, the lead agency, in consultation with DOE and SCA, may take these project components into account to determine whether an increase in the collective utilization rate under the above standards would cause a significant adverse impact.



420. EARLY CHILDHOOD PROGRAMS

A significant adverse impact may result, warranting consideration of mitigation, if the proposed project would result in both of the following:

- A collective utilization rate of the Early Childhood Programs in the study area that is greater than 100% in the With-Action Scenario; and
- An increase of five percent or more in the collective utilization rate of the Early Childhood Programs in the study area between the No-Action and With-Action Scenarios.

For example, a significant adverse impact would be identified if there was a No Action Scenario utilization rate of 96% and a With Action Scenario utilization rate of 101%.

For the purposes of CEQR analysis, a No-Action base utilization rate of 100% is the utilization threshold for overcrowding for Early Childhood Programs. This takes into account the fact that Early Childhood Programs have a maximum number of seats that they may accommodate, based on the square footage of the child care center and the staffing levels, as prescribed by Article 47 of the NYC Health Code.

A qualitative discussion of the existence of Universal 3-K and Pre-K can accompany the Early Childhood Programs analysis. Universal 3-K and Pre-K provide limited hours and a limited school year compared to Early Childhood Programs, and are thus not a direct replacement for such programs. However, they do expand access to education for 3-4 year old children, and may alleviate some demand from families residing in low and low/middle income units who do not require the extended programming.

430. LIBRARIES

Generally, if a proposed project would increase the study area population by five percent or more over No-Action levels, and it is determined, in consultation with the appropriate library agency that this increase would impair the delivery of library services in the study area, a significant impact may occur, warranting consideration of mitigation.

440. HEALTH CARE FACILITIES

The Health and Hospitals Corporation or the Department of Health and Mental Hygiene (as appropriate) should each be contacted for their assessment of the project's effects on their operations. This information may be used in the determination of the potential significant impacts to their operations. A written statement from these departments should be obtained regarding their recommendations. The lead agency must then weigh these data and come to its own determination as to significance, using the guidance criteria for determining significance, as outlined in [6 NYCRR Part 617.7](#).

450. FIRE AND POLICE PROTECTION

The Police and Fire Departments should each be contacted for their assessment of the project's effects on their operations. This information may be used in the determination of the potential significant impacts to their operations. A written statement from these departments should be obtained regarding their recommendations. The lead agency must then weigh these data and come to its own determination as to significance, using the guidance criteria for determining significance, as outlined in [6 NYCRR Part 617.7](#).

500. DEVELOPING MITIGATION

In most cases, mitigation measures for significant impacts on a community facility require a commitment from the agency or institution having jurisdiction over the facility. For this reason, early coordination is advised.

Following are some examples of mitigation measures for community facilities impacts.



510. SCHOOLS

Measures to mitigate a significant impact on schools vary based on the size of the project and the capacity of the school sub-district. In general, the following potential measures should be explored: relocating administrative functions to another site, thereby freeing up space for classrooms; making space within the buildings associated with the proposed project or elsewhere in the school study area available to DOE; and/or restructuring or reprogramming existing school space within a district; or providing for new capacity (seats) by constructing a new school or an addition to an existing school. Other measures may be identified in consultation with SCA and DOE that do not create additional capacity but may nevertheless serve to alleviate capacity constraints.

All potential mitigation should be reviewed with DOE and SCA to determine its feasibility.

520. EARLY CHILDHOOD PROGRAMS

Mitigation for a significant early childhood impact, developed in consultation with DOE, may include provision of suitable space on-site for an early childhood program, provision of a suitable location off-site and within a reasonable distance (at a rate affordable to DOE providers), or funding or making program or physical improvements to support additional capacity within the 1.5 mile radius.

Potential mitigation should be reviewed with the DOE's Division of Early Childhood Education to determine its feasibility, particularly when a project by DOE is required to facilitate the mitigation.

530. LIBRARIES

If the proposed project is expected to have a significant impact on libraries within the study area, mitigation should be targeted to alleviate the impact created (*e.g.*, by adding volumes if adequate space within the library branch exists, adding building space to accommodate more users, or creating programs to accommodate new users). Appropriate mitigation should be developed in consultation with the relevant library agency. To mitigate a significant impact, the improvements must occur within the service area of the impacted library.

540. HEALTH CARE FACILITIES

If a significant adverse impact is identified, potential mitigation measures include the upgrading of other existing facilities, the provision of new facilities, or other measures as deemed suitable by the appropriate agency. Provision of space on-site for a hospital-related outpatient facility or public health clinic may be considered appropriate mitigation. Potential mitigation should be reviewed with the Health and Hospitals Corporation or the Department of Health and Mental Hygiene (as appropriate) to determine its feasibility and appropriateness.

550. FIRE AND POLICE PROTECTION

Potential mitigation measures for inadequate police and fire protection as a result of the proposed project include upgrading existing equipment, acquisition of new equipment, or construction of a new firehouse or police precinct building. Construction of new facilities is typically the responsibility of the Fire or Police Department. Provision of land on-site for a Fire or Police Department facility may be considered appropriate mitigation. Potential mitigation should be reviewed with the Fire and Police Departments to determine its feasibility and appropriateness.

600. DEVELOPING ALTERNATIVES

Alternatives that would reduce or eliminate significant impacts on community facilities include incorporation of the potential mitigation options discussed above, redesigning or relocating a project to avoid having direct effects on existing facilities, or developing a smaller project that would result in a smaller population that would not cause a significant adverse impact on the facilities.



700. REGULATIONS AND COORDINATION

710. REGULATIONS AND STANDARDS

There are no specific City, State, or Federal statutory regulations or standards governing the analysis of community facilities.

720. APPLICABLE COORDINATION

It is best to consult with those agencies that operate or have jurisdiction over the affected facilities early in the CEQR process because they have the most up-to-date information regarding existing operations and capacity, as well as future condition projections for their facilities. Such agencies should also be consulted in assessing impacts and developing mitigation, if required, because mitigation would typically require the approval or commitment of the operating agency.

730. LOCATION OF INFORMATION

Publications, maps, annual reports, and projections are prepared and made available by the agencies and institutions described below.

731. Public Schools

For information on enrollment projections, existing and planned school facilities (Five Year Capital Plan and amendments), and DOE's "Utilization Profile Reports" with data on schools by district contact DCP or SCA.

- The NYC School Construction Authority

Capital Planning Division
30-30 Thomson Avenue
Long Island City, NY 11101
<http://www.nycsca.org/>

- Department of City Planning

Capital Planning Division
120 Broadway, 31st Floor
New York, NY 10271
<http://www.nyc.gov/planning>
Central Office: (212) 720-3300

732. Libraries

Information requests for library branches should be directed to each of the system's public relations offices.

- New York Public Library (serves the Bronx, Manhattan, and Staten Island)

Office of Public Relations
8 West 40th Street
New York, NY 10018
Government & Community Affairs
212-930-0051
www.nypl.org



- Queens Borough Public Library
Office of Public Relations
89- 11 Merrick Boulevard
Jamaica, NY 11432
<https://www.queenslibrary.org/>
- Brooklyn Public Library
Office of Public Relations
Grand Army Plaza
Brooklyn, NY 11238
<https://www.bklynlibrary.org/>

733. Early Childhood Programs

Information on publicly funded and operated Early Childhood Programs is available from the Department of Education's Department of Early Childhood Education. The Department of City Planning's Planning Coordination Division or Environmental Assessment and Review Division may be consulted for assistance with contacting the appropriate DOE personnel.

- For all early childhood facilities:
Senior Advisor
DOE Division of Early Childhood Education
110 William Street
New York, NY 10038
<https://www.schools.nyc.gov/>

734. Health Care Facilities

Information on health care facilities is available from the New York City Health and Hospitals Corporation and the New York City Department of Health and Mental Hygiene.

- New York City Health and Hospitals Corporation
Division of Corporate Planning, Community Health and Intergovernmental Relations
125 Worth Streets
New York, NY 10013
<https://www.nychealthandhospitals.org/>
- New York City Department of Health and Mental Hygiene
125 Worth Street
New York, NY 10013
<https://www1.nyc.gov/site/doh/index.page>

735. Fire Protection

The Commissioner's Office of the Fire Department of New York is consulted for information and determination related to fire protection assessment. This office is located at:

- New York City Fire Department
9 Metrotech Center
Brooklyn, NY 11201
<https://www1.nyc.gov/site/fdny/index.page>



736. Police Protection

The Precinct Commanding Officer at the local precinct of the New York City Police Department that would serve the site is consulted for information and determination related to police protection assessment.

737. Other Information

- [NYC Facilities Explorer](#): Information on public and private schools, libraries, child care, and other community facilities by address, block/lot, and community district, updated periodically, and available on DCP's website.
- [Citywide Statement of Needs](#) (published annually): Proposed expansions, relocations, closings, and new City facilities for the next two fiscal years. Available for purchase in DCP Bookstore or for free download on DCP's website.
- [City Owned and Leased Properties \(COLP\)](#): Information on all City-owned and -leased property by block/lot and community district. Available for purchase in DCP's Bookstore and free download on DCP's website.
- [Annual Capital Budget and 3-Year Capital Plan](#): Appropriations for City capital projects. Budget publications are available on OMB's website.

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