

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the New York City Waterfront Revitalization Program (WRP) which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: NYC Department of City Planning

Name of Applicant Representative: Eric Kober

Address: 120 Broadway, 31st floor, New York NY 10271

Telephone: 212-780-3322

Email: ekober@planning.nyc.gov

Project site owner (if different than above): many site owners

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The New York City Department of City Planning (DCP) proposes a zoning text amendment to require a CPC Special Permit for new self-storage facilities within newly established "Designated Areas" in Manufacturing districts, which largely coincide with IBZs, to ensure that their development does not unduly limit future siting opportunities for industrial, more job-intensive uses.

2. Purpose of activity

In November 2015, Mayor de Blasio announced a 10-point Industrial Action Plan, which aims to strengthen NYC's most active industrial areas, invest in industrial and manufacturing businesses, and advance industrial-sector training and workforce development opportunities for New Yorkers. The Industrial Action Plan targets Industrial Business Zones (IBZs) and builds on existing economic development policies for IBZs, which include Industrial Service Provider contracts, tax incentives and the pledge not to rezone IBZs for residential use.

In this context, self-storage facilities are considered a low job-generating use that primarily serves household rather than business needs. They are typically developed on large sites near Designated Truck Routes – sites, which are in limited supply and could potentially provide future siting opportunities for industrial, more job-intensive businesses. Given the City's numerous measures to support industrial businesses in IBZs and the fact that industrial employment has been growing in IBZs since 2010, the use of such sites for self-storage detracts from the City's economic development objectives in IBZs.

C. PROJECT LOCATION

Borough: BX, BK, QN, SI Tax Block/Lot(s): many blocks and lots, please see attachment

Street Address: _____

Name of water body (if located on the waterfront): _____

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission

Yes No

- City Map Amendment
 - Zoning Map Amendment
 - Zoning Text Amendment
 - Site Selection – Public Facility
 - Housing Plan & Project
 - Special Permit
 - Zoning Certification
 - Zoning Authorizations
 - Acquisition – Real Property
 - Disposition – Real Property
 - Other, explain: _____
 - Concession
 - UDAAP
 - Revocable Consent
 - Franchise
- (if appropriate, specify type: Modification Renewal other) Expiration Date: _____

Board of Standards and Appeals

Yes No

- Variance (use)
 - Variance (bulk)
 - Special Permit
- (if appropriate, specify type: Modification Renewal other) Expiration Date: _____

Other City Approvals

- Legislation
- Rulemaking
- Construction of Public Facilities
- 384 (b) (4) Approval
- Other, explain: _____
- Funding for Construction, specify: _____
- Policy or Plan, specify: _____
- Funding of Program, specify: _____
- Permits, specify: _____

State Actions/Approvals/Funding

- State permit or license, specify Agency: _____ Permit type and number: _____
- Funding for Construction, specify: _____
- Funding of a Program, specify: _____
- Other, explain: _____

Federal Actions/Approvals/Funding

- Federal permit or license, specify Agency: _____ Permit type and number: _____
- Funding for Construction, specify: _____
- Funding of a Program, specify: _____
- Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? Yes No

E. LOCATION QUESTIONS

- 1. Does the project require a waterfront site? Yes No
- 2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? Yes No
- 3. Is the project located on publicly owned land or receiving public assistance? Yes No
- 4. Is the project located within a FEMA 1% annual chance floodplain? (6.2) Yes No
- 5. Is the project located within a FEMA 0.2% annual chance floodplain? (6.2) Yes No
- 6. Is the project located adjacent to or within a special area designation? See *Maps – Part III of the NYC WRP*. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).
 - Significant Maritime and Industrial Area (SMIA) (2.1)
 - Special Natural Waterfront Area (SNWA) (4.1)
 - Priority Martine Activity Zone (PMAZ) (3.5)
 - Recognized Ecological Complex (REC) (4.4)
 - West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (2.2, 4.2)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder or Not Applicable (N/A). For more information about consistency review process and determination, see **Part I** of the *NYC Waterfront Revitalization Program*. When assessing each policy, review the full policy language, including all sub-policies, contained within **Part II** of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).

For those policies checked Promote or Hinder, provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.

| | | Promote | Hinder | N/A |
|----------|---|--------------------------|--------------------------|-------------------------------------|
| I | Support and facilitate commercial and residential redevelopment in areas well-suited to such development. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 1.1 | Encourage commercial and residential redevelopment in appropriate Coastal Zone areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 1.2 | Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 1.3 | Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 1.4 | In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 1.5 | Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | | Promote | Hinder | N/A |
|----------|---|-------------------------------------|--------------------------|-------------------------------------|
| 2 | Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2.1 | Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2.2 | Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2.3 | Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2.4 | Provide infrastructure improvements necessary to support working waterfront uses. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2.5 | Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3 | Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3.1. | Support and encourage in-water recreational activities in suitable locations. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3.2 | Support and encourage recreational, educational and commercial boating in New York City's maritime centers. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3.3 | Minimize conflicts between recreational boating and commercial ship operations. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3.4 | Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3.5 | In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4 | Protect and restore the quality and function of ecological systems within the New York City coastal area. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.1 | Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.2 | Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.3 | Protect designated Significant Coastal Fish and Wildlife Habitats. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.4 | Identify, remediate and restore ecological functions within Recognized Ecological Complexes. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.5 | Protect and restore tidal and freshwater wetlands. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.6 | In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.7 | Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4.8 | Maintain and protect living aquatic resources. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | | Promote | Hinder | N/A |
|----------|---|-------------------------------------|--------------------------|-------------------------------------|
| 5 | Protect and improve water quality in the New York City coastal area. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5.1 | Manage direct or indirect discharges to waterbodies. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5.2 | Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5.3 | Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5.4 | Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 5.5 | Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6 | Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6.1 | Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6.2 | Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in <i>New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms</i>) into the planning and design of projects in the city's Coastal Zone. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6.3 | Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 6.4 | Protect and preserve non-renewable sources of sand for beach nourishment. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7 | Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7.1 | Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7.2 | Prevent and remediate discharge of petroleum products. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 7.3 | Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8 | Provide public access to, from, and along New York City's coastal waters. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.1 | Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.2 | Incorporate public access into new public and private development where compatible with proposed land use and coastal location. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.3 | Provide visual access to the waterfront where physically practical. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.4 | Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | | Promote | Hinder | N/A |
|-----------|--|--------------------------|--------------------------|-------------------------------------|
| 8.5 | Preserve the public interest in and use of lands and waters held in public trust by the State and City. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 8.6 | Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9 | Protect scenic resources that contribute to the visual quality of the New York City coastal area. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9.1 | Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 9.2 | Protect and enhance scenic values associated with natural resources. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10 | Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10.1 | Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 10.2 | Protect and preserve archaeological resources and artifacts. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Eric Kober, Department of City Planning

Address: 120 Broadway, 31st floor, New York NY 10271

Telephone: 212-720-3322

Email: ekober@planning.nyc.gov

Applicant/Agent's Signature: _____

Eric Kober

Date: May 17 2017