

Self-storage Text Amendment
~~Draft-Final~~ Scope of Work For An Environmental Impact Statement
CEQR No. 17DCP119Y
ULURP No. N170425 ZRY
May 19, 2017

I. INTRODUCTION

This ~~Final Draft~~ Scope of Work (~~Final Draft~~ Scope) outlines the technical areas to be analyzed in the preparation of the Draft Environmental Impact Statement (DEIS) for the *Self-storage Text Amendment* (“Proposed Action”), which would implement a key policy goal established in Mayor Bill de Blasio’s *10-Point Industrial Action Plan*.

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 seen as 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. Accordingly, 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.

The City Planning Commission (CPC) has determined that an EIS for the Proposed Action will be prepared in conformance with *City Environmental Quality Review (CEQR) Technical Manual* guidelines, with DCP acting on behalf of the CPC as the lead agency. The environmental analyses in the EIS will assume a development period of ten years for the reasonable worst-case development scenario (RWCDs) for the Proposed Action, as defined herein, (i.e., analysis year of 2027). DCP will conduct a coordinated review of the Proposed Action with involved and interested agencies.

II. REQUIRED APPROVALS AND REVIEW PROCEDURES

The proposed Zoning Text Amendment encompasses a discretionary action that is subject to review under Section 200 of the City Charter, and the City Environmental Quality review (CEQR) process.

The Proposed Action is classified as Type I, as defined under 6 NYCRR 617.4 and 43 RCNY 6-15, subject to environmental review in accordance with CEQR guidelines. An Environmental Assessment Statement (EAS) was completed on March 1, 2017. A Positive Declaration, issued on March 1, 2017, established that the Proposed Action may have a significant adverse impact on the environment, thus warranting the preparation of an EIS.

The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the Proposed Action. The process allows other agencies and the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the EIS. During the period for scoping, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency. The public, interested agencies, Community Boards, and elected officials, ~~were~~ are invited to comment on the draft scope of work, either in writing or orally, at a public scoping meeting ~~which was to be~~ held on March 30, 2017 at Spector Hall, 22 Reade Street, New York, New York 10007, starting at 10 AM. Comments were received during the Draft Scope's public hearing and written comments were received until 5:00 pm on April 10, 2017. ~~These comments were will be~~ These comments were considered and incorporated as appropriate into the Final Scope of Work and can be found in the Response to Comments. ~~The lead agency will oversee preparation of the Final Scope, which will incorporate all relevant comments made on the Draft Scope, and revise the extent or Methodologies of the studies, as appropriate, were~~ modified in response to comments made during scoping. The Draft EIS (DEIS) will be prepared in accordance with the Final Scope.

Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the CPC hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for ten days after the public hearing to allow additional written comments on the DEIS. At the close of the public review period, a Final EIS (FEIS) will be prepared that will incorporate all substantive comments made on the DEIS, along with any revisions to the technical analysis necessary to respond to those comments. The FEIS will then be used by the decision makers to evaluate CEQR findings, which address project impacts and proposed mitigation measures, in deciding whether to approve the requested discretionary actions, with or without modifications.

III. PURPOSE AND NEED

The present City administration has recognized the importance of the industrial sector for New York City – a sector, which employs 524,000 people (NYS DOL QCEW 2016(P)). Industrial businesses provide essential services such as building construction and maintenance; food and beverage distribution; bus, taxi and air transportation; freight management; and waste disposal and recycling services. Industrial Business Zones (IBZ) represent the most active industrial areas in New York City, which recent data shows have gained industrial employment since 2010.

Industrial businesses often need specialized space, geographically separated from potentially conflicting uses. In general, these businesses may generate truck traffic, noise, odors or emissions, and consequently, prefer to locate away from residential, commercial, or community facility developments. These businesses also require relatively large sites and prefer to occupy ground floor space, for loading/unloading and the operation of heavy machinery. Since New York City is dense, and contains a narrow, historic transportation grid, the number of lots that are large and appropriate for truck-intensive uses are limited. Compounding this scarcity is that these lots are in limited supply and high demand.

For the above reasons, Industrial Business Zones have been the objective of several economic development policies and are the City’s target areas for the realization of economic development goals supporting a range of industrial and other employment-generating business activities and industrial innovation. The

Construction Business, Maspeth IBZ



Food Manufacturing, Bathgate IBZ



Food distribution, North Brooklyn IBZ



Motion Picture, North Brooklyn IBZ



Figure 1: Examples of recent new investments in industrial businesses
Source: Google Earth and Google Streetview, 2016. Accessed December 20th 2016

10-point Industrial Action Plan (NYC Office of the Mayor, 2015) 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 uses. The developments in Figure 1 are examples of recent industrial investments that the City is trying to support.

Self-storage development detracts from the City's economic development objectives for IBZs, since it is a low job-generating use that primarily serves household rather than business needs (SSA, 2015a, p.12). Self-storage facilities typically only store goods, without handling or taking custody for such goods, and even a very large facility may employ only a handful of workers. In NYC, self-storage facilities employ an average of five workers. Other types of warehouses, commercial storage spaces and moving companies provide not only storage but other essential services, such as moving, distribution, logistics and/or supply chain management services. Since these other warehouse generally offer other services, they also tend to hire a greater number of employees. Employment data from the Quarterly Census of Employment and Wages, collected by the New York State Department of Labor, supports this. According to 2015 3rd quarter QCEW data, there were 386 *Warehousing and Storage* (NAICS code: 4931) and *Used Household and Office Goods Moving* (NAICS code: 48421) firms in New York City. On average, each firm employed 17.8 workers, more than 3.5 times the amount of self-storage.

Self-storage also utilizes land that may be utilized by industrial uses. Recent new construction of self-storage facilities in M districts (30 facilities) were built on lots with an average size of 49,500 square feet; and conversions in M districts (42 facilities) present an average built area of 111,000 square feet. Lots and buildings of such sizes provide important siting opportunities for many industrial businesses, which tend to require sites large enough to accommodate horizontal operations, off-street loading and vehicle fleet parking. Moreover, they are in limited supply in New York City: in a recent study of the North Brooklyn industrial area, interviewed industrial businesses explained that they were finding it difficult to maintain operations in North Brooklyn and New York City in general, among other reasons due to the challenge of expansion and finding appropriate sites, in a context of low industrial vacancy.

Additionally, self-storage facilities typically site along arterial highways and designated truck routes, as shown by the map below (see Figure 2). Sixty-five self-storage facilities have been developed in proposed Designated Areas in M districts: all sixty-five are within a half-mile of a Designated Truck Route, and over 75 percent are within 500 feet of a Designated Truck Route. These are crucial locations for truck-dependent businesses in the wholesale, freight and logistics, construction and other industries. Self-storage facilities have also been developed on sites near transit, which could be ideal for businesses with more employees, who depend on reliable public transportation options to access their work site.

Considering all of the above, self-storage stands out as a low-density employment use when compared to other storage and warehousing businesses, which furthermore tends to occupy large sites along designated truck routes, in a context where such large sites are becoming increasingly scarce. 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.

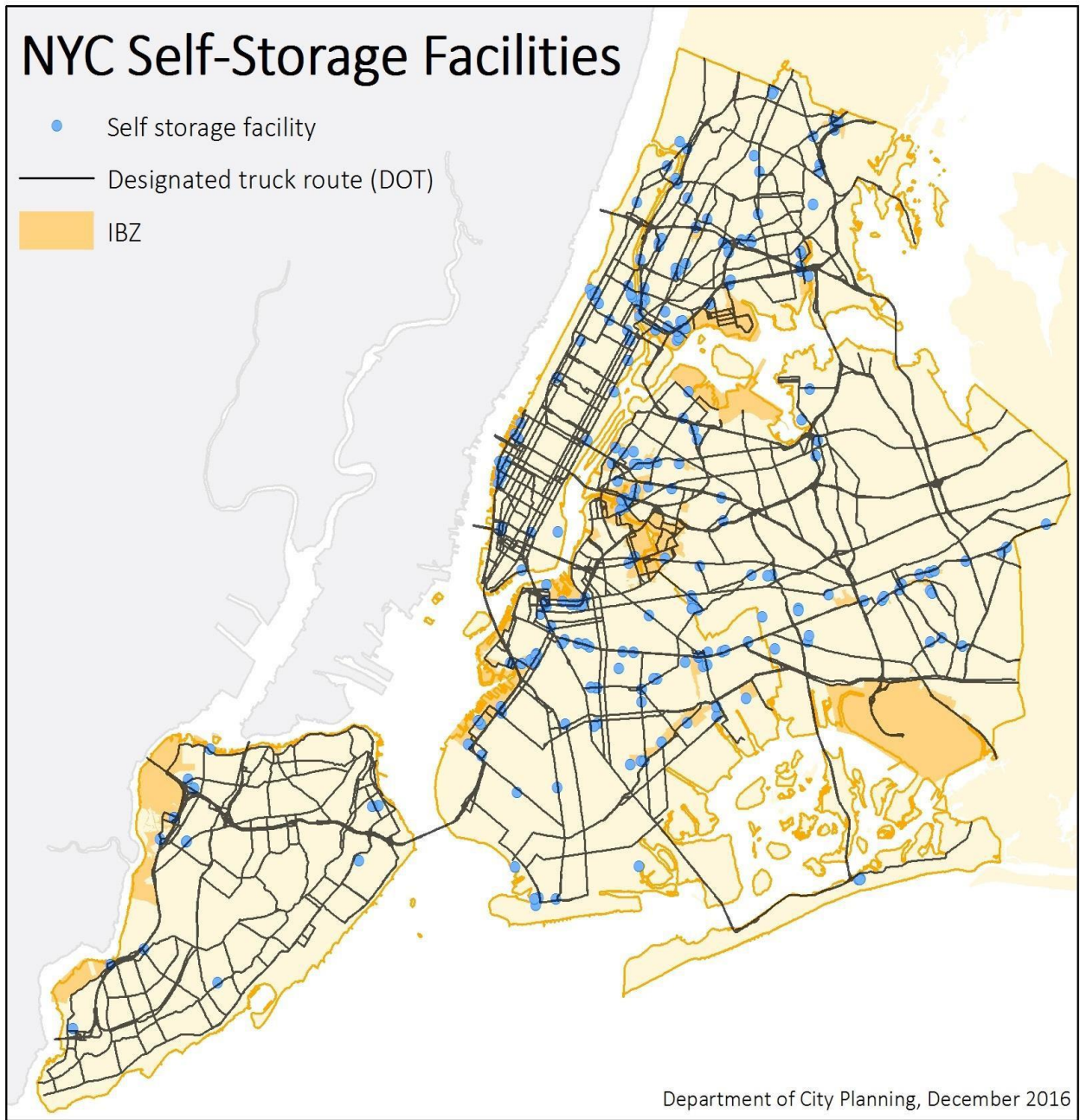


Figure 2: Locations of self-storage facilities and truck routes

IV. DESCRIPTION OF THE PROPOSED ACTION

A. Proposed regulatory mechanism

The Department of City Planning proposes a citywide zoning text amendment to introduce a Special Permit under the jurisdiction of the City Planning Commission (CPC) for all new self-storage development in proposed Designated Areas in M districts. A Special Permit is a discretionary action by the City Planning Commission, subject to the public review process (ULURP), which may modify use regulations if certain conditions specified in the *Zoning Resolution* are met. The public review process includes Community Board, Borough President and City Planning Commission review. The City Council may elect to review a Special Permit application and Mayoral review is also optional.

By introducing a Special Permit, the Department of City Planning proposes to establish a framework to conduct a case-by-case, site-specific review to ensure that the development of self-storage facilities does not occur on sites that should remain available to industrial, more job-intensive uses. Additionally, a case-by-case framework would allow self-storage facilities to locate in Designated Areas in M districts on sites where self-storage facilities are found to be appropriate.

Currently, self-storage facilities are classified in zoning as Use Group 16D, either as warehouses or moving and storage offices, and are permitted as-of right in all M districts and C8 districts. With the enactment of this proposal, self-storage will remain in Use Group 16D, but will be specifically defined in the *Zoning Resolution*. A CPC Special Permit would be required for the defined use in proposed Designated Areas in M districts, which cover a portion of M districts and represent the City's target areas for the realization of economic development objectives.

The findings of the proposed Special Permit will require the City Planning Commission to evaluate whether a lot or building would be optimal for conforming, modern-day industrial uses, based on a set of criteria. In making its determination, the Commission considers such factors as:

- a) The size of the zoning lot of a proposed development, and whether it could ~~optimally accommodate a new building~~ suitable for industrial use;
- b) The design and arrangement of an existing building proposed for conversion to self-storage and the extent to which it lends itself to industrial uses;
- c) Proximity of a proposed development or conversion to arterial highways and designated truck routes, and the capacity and configuration for truck movement serving industrial uses of local streets providing immediate access to the zoning lot of the proposed development or conversion;
- d) Accessibility of the proposed location to rail and bus transit serving employees of an industrial use;
- e) Potential for conflicts of future industrial uses with existing uses in the surrounding areas, including conforming or nonconforming residences, schools, other community facilities and public open space.
- f) The level of investment or visible signs of disinvestment in industrial uses occurring within the contiguous Designated Area in M district within the last five years.

Existing self-storage facilities could continue to operate as legal non-conforming uses. Extensions and enlargements of such grandfathered self-storage facilities would be permitted within the original zoning lot and the reconstruction of a grandfathered self-storage facility to the previously existing FAR, should it be damaged or destroyed, would be permitted.

B. Designated Areas in M districts

Since IBZ boundaries were created for a tax program, and do not exist in the *NYC Zoning Resolution*, zoning maps needed to be created for the Proposed Action. Accordingly, the Department of City Planning analyzed the existing IBZ boundaries on a case-by-case basis, and in limited cases, rationalized them to ensure that the proposed boundaries would be consistent with zoning practices. The resulting rationalized boundaries are referred to as Designated Areas in Manufacturing districts.

Furthermore, other than the few above-explained individual tax lots or blocks, the John F. Kennedy and La Guardia airport areas have been excluded from the proposed Designated Areas in M districts. These airport areas are not subject to the City's *Zoning Resolution* and play a unique economic role in New York City, providing essential airport services.

See Appendix B for the proposed boundaries, which will be incorporated into the *New York City Zoning Resolution* as text maps.

Overview of Nomenclatures

<i>IBZs or Industrial Business Zones:</i>	Manufacturing-zoned areas in NYC, which were designated under the Bloomberg Administration. The boundaries define eligibility for tax incentives and do not exist in the <i>NYC Zoning Resolution</i> . IBZ boundaries are based on tax lots and do not follow the mapping conventions of the <i>Zoning Resolution</i> . Not all M districts are IBZs.
<i>Designated Area in Manufacturing districts:</i>	Manufacturing-zoned areas, where the application of a CPC Special Permit for self-storage is proposed. These areas largely mirror current IBZ boundaries, but adhere to the mapping conventions of the <i>Zoning Resolution</i> , and will be incorporated into the <i>Zoning Resolution</i> as text maps.

C. Intended Effects of the Action

By introducing a Special Permit for the development of self-storage in proposed Designated Areas in M districts, the Department of City Planning proposes to establish a framework to conduct a case-by-case, site-specific review to ensure that the development of self-storage facilities does not occur on sites that should remain available to more job-intensive industrial uses. Additionally, a case-by-case framework

would allow self-storage facilities to locate in Designated Areas in M districts on sites where self-storage facilities are found to be appropriate.

The availability of future siting opportunities for industrial businesses in IBZs is a key component of the City’s Industrial Action Plan. In order to advance the City’s economic development objectives for Industrial Business Zones, the City aims to ensure that the kind of sites that have in the past often been occupied by self-storage facilities, which are typically large, adjacent to a Designated Truck Route and are in limited supply in NYC, remain available to industrial businesses.

Zoning framework: Future with and without the Action

	As-of-right	by Special Permit:
Future no-action	C8 and M districts	-
Future with-action	C8 districts and M districts that are not Designated Areas	Designated Areas in M districts

Figure 3: Zoning Framework With and Without the Action

The examples below are illustrations of existing self-storage sites within Designated Areas in M Districts, where the Department of City Planning believes the self-storage use to be appropriate and not present a lost opportunity for potential future industrial, more job-intensive development.

Example A

Example A (see Figure 4) is a conversion of a post-1961 two-story warehouse at the edge of the Designated Area. The building’s indoor loading area fits only small trucks. Access to the major highway occurs via a narrow, one-lane service road, which significantly complicates potential truck entry and exit. DCP expects that a job-intensive industrial business would experience major operational difficulties at this location.



Figure 4: Example A

Source: Google Earth, 2017. Accessed January 18th 2017

Example B

Example B is a new construction and is located next to elevated rail tracks, at the edge of the Designated Area, on a 10,000 square foot lot (see Figure 5). Entrance and egress to the facility are oriented toward a narrow, two-way dead-end road, which has only one travel lane. Any potential truck traffic would be required to first navigate the dead-end, pass the elevated rail tracks, and then cross an entirely residential block, on a road with only one travel lane. On the whole, the site would be very small for an industrial business and would provide deficient truck access.



Figure 5: Example B

Source: Google Earth, 2017. Accessed January 18th 2017

V. ANALYSIS FRAMEWORK

A Reasonable Worst Case Development Scenario (RWCDs) is broadly defined as the potential development under both the future No-Action and With-Action Conditions that is used to determine the change in permitted development created by a discretionary action. The RWCDs analysis takes the existing condition and adds to it known or expected changes in order to arrive at a reasonable estimate of future conditions. The first step in constructing the RWCDs for this project was to estimate the projected development sites in the future without the proposed text amendment for both the directly affected areas and indirectly affected areas. For this proposal, the directly affected areas are the proposed Designated Areas in M districts. The indirectly affected areas are all M and C8 districts, which are not within the proposed Designated Areas in M districts and would not be subject to the Proposed Action. For the purpose of this analytic framework, these areas will be referred to as M and C8 districts outside of Designated Areas.

When considering future development sites, non-conforming uses as defined by the *NYC Zoning Resolution* were excluded. The NYC Zoning Resolution states that under certain circumstances, a non-conforming use may be changed to another non-conforming use. Non-conforming uses are typically not analyzed in analytic frameworks: it is usually assumed that when an area is rezoned, the new zoning district in place will define the type of development that will occur in the future. Accordingly, this development scenario did not consider the possibility of self-storage development in Residential (R) or Commercial (C) districts (except C8): R and C districts allow a wide array of uses, and in the last five years, only one out of thirty-four new self-storage facilities have been developed in these areas. Over the last decade, the ratio is somewhat higher, but still low: nine out of seventy-seven new self-storage facilities were built in R and C districts, outside of M and C8 districts. The probability of a new legal, non-conforming self-storage facility being developed in areas, where residential development is permitted, is further reduced when one considers New York City's lasting housing shortage (NYC Office of the Mayor, 2014).

After the future without the text amendment, the future conditions with the proposed text amendment are estimated. The RWCDs then compares the No-Action Condition to the With-Action Condition; the increment between the two provides the basis of the environmental assessment. The presented framework is intended for analytical purposes, and cannot capture the character or totality of future self-storage development, which is to a large extent unknown.

The Proposed Action establishes a new CPC Special Permit for self-storage development which would be applied city-wide in the proposed Designated Areas in M districts. Per CEQR guidelines, since the Proposed Action has broad applicability, it is difficult to predict the universe of sites where development would be affected by the Proposed Action. As discussed, the Proposed Action is analyzed in this environmental review as a "generic action." According to the *CEQR Technical Manual*, generic actions have wide application or affect the range of future alternative policies. Usually, these actions affect the entire city or an area so large that site-specific description or analysis is not appropriate. To analyze these potential environmental impacts of such types of actions, environmental reviews typically utilize a conceptual/prototypical analysis.

The conceptual/prototypical analysis in this environmental review will review potential environmental impacts that could occur in the With-Action condition if self-storage facilities move from Designated Areas to M and C8 districts located outside Designated Areas. Although DCP cannot predict with certainty where self-storage facilities will locate in the future (self-storage facilities and the zoning districts that permit them

are relatively dispersed within New York City and the siting of self-storage facilities is demand-driven, further dispersing them), prototypes ~~were~~ will be developed to generically determine the potential environmental impacts of such movement. Prototypes ~~were~~ will be developed based on existing trends and reasonable projections and ~~are~~ will be representative of sites typical for recent self-storage development including: a small (15,000-30,000 sq. ft.), medium (30,000-60,000 sq. ft.) and large (greater than 60,000 sq. ft.) site, as well as a conversion of an existing multi-story building, located within Designated Areas in M Districts.

Additionally, to take into account any new development that may occur on parcels in Designated Areas in M Districts under the With-Action scenario, where self-storage facilities would have located under the No-Action Condition, representative examples ~~were considered~~ will be developed. These representative examples ~~will~~ will be considered both industrial and non-industrial development. Although the Proposed Action is not anticipated to induce ~~industrial~~ development (numerous factors influence the kind of uses that are developed in any given area, and ~~industrial development is~~ a wide variety of industrial and non-industrial uses are already permitted as-of-right in M districts), it is the most plausible use category. Industrial development is plausible due to the existence of a variety of economic development policies in place in IBZs, including the 10-Point Industrial Action Plan, which incentivize industrial development through amongst others tax exemptions, subsidies and the provision of specific services. Although the Proposed Action does not preclude other, non-industrial uses from occupying the sites where self-storage would not be developed, these other uses are relatively unlikely: they are less common in the proposed Designated Areas, since they tend to site in less actively industrial M districts, and do not usually utilize large lots along Designated Truck Routes. ~~Accordingly~~ Nonetheless, the representative examples analysis ~~will focus on industrial uses, which is also more conservative for the purposes of environmental review~~ also describes potential non-industrial redevelopment possibilities.

Industrial uses described included wholesale trade; construction; transportation and warehousing; manufacturing; repair and maintenance; telecommunications and motion picture and sound recording industries; waste management and remediation services; gasoline stations and motor vehicle and parts dealers; and utilities. Non-industrial possibilities described included office, co-working space, retail, hotel or medical office. However, based on this wide range of uses and the various IBZ's, DCP determined that the range of future possibilities was so large and the different IBZ's so distinct, DCP could not complete a meaningful analysis that wasn't entirely speculative and further analysis was not possible. Therefore, representative examples serve to provide a description of the existing and potential With-Action conditions on a range of sites with characteristics typical of recent self-storage development, but no technical analysis was provided for these representative examples as there is a high level of uncertainty surrounding any potential development in the With-Action condition, which would render any analysis of projected uses and their impacts meaningless.

Finally, a conceptual analysis was completed to analyze possible impacts associated with future utilization of the proposed self-storage special permit within the Designated Areas in M Districts.

A. Areas Affected by the Proposed Action

A zoning text amendment is proposed, which would require a CPC Special Permit for new self-storage facilities within Designated Areas in Manufacturing districts. The Proposed Action would not apply to C8

and M districts that are not proposed as Designated Areas (see Figure 6). Currently, more than 24,000 acres in NYC are zoned as either M or C8 districts. The Proposed Action would apply to 10,254 acres, which correspond to the Designated Areas in Manufacturing districts, and represent affect 49.42 percent of the area where self-storage may currently site as-of-right.

ZONING FRAMEWORK AND LAND AREA: FUTURE WITH AND WITHOUT THE ACTION

	As-of-right (If all future rezonings are approved)	by Special Permit:
FUTURE NO-ACTION	C8 and all M districts = 9,647 acres	none
FUTURE WITH-ACTION	C8 districts and M districts that are not Designated Areas = 4,932 acres	Designated Areas in M districts = 4,715 acres

Figure 6: Zoning framework - Future with and without the Action |

Proposed Designated Areas in Manufacturing districts

The proposed Designated Areas in M districts are listed by Community District in Figure 7, and represented by the maps in Figure 8, and in more detail in Appendix B. These areas are the directly affected areas by the Proposed Action. They encompass portions of 27 Community Districts located in four boroughs of New York City.

Directly affected areas and number of existing self-storage facilities²

Borough	Community District	Acreage of Proposed Designated Area	Existing self-storage facilities	Pre- construction self-storage
Bronx	1	161	7	
	2	287	1	
	3	18		
	4	2		
	6	7	1	
	9	78	3	
	10	89	3	
	12	79	2	1
Brooklyn	1	530	4	
	2	0		
	4	13		
	5	196	5	
	6	232	3	
	7	200	3	
	16	39		
	17	90	1	
	18	117	4	
Queens	1	170	3	
	2	586	8	
	5	275	4	1
	9	34	1	
	10	8		
	12	109	9	
	13	78		
Staten Island	1	128	1	
	2	952	2	
	3	239		
Total		4,715	65	2

Figure 7: Directly Affected Areas

² The amount of land proposed to be classified as Designated Areas in M districts was calculated in ArcGIS. An overlay was performed between the proposed Designated Areas in M districts and NYC’s Community Districts, which excluded water areas, certain parks and the airport areas. In Response to Comments, the area count also excludes areas

considered zoned but not viable for self-storage development. Additional exclusions included parks, rail yards, utilities Rikers Island, strong real estate markets in places like lower Manhattan, and publicly- owned or tax-exempt land.

Proposed Designated Areas in M Districts

- Proposed Designated Areas in M Districts
- Areas viable for self-storage development*
- Community Districts

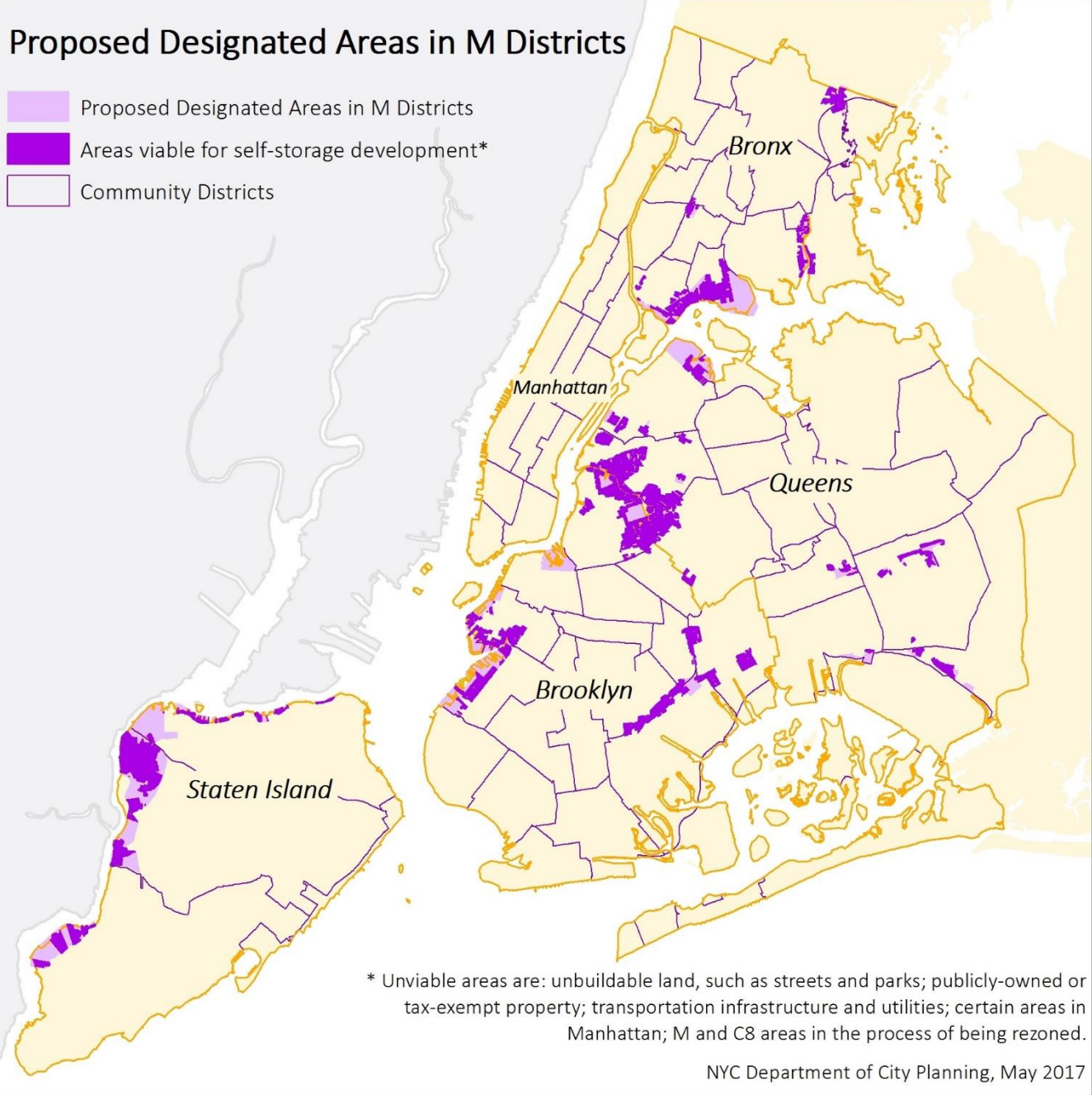


Figure 8: Proposed Designated Areas in M Districts

M and C8 districts outside of Designated Areas

Furthermore, the indirectly affected area is defined as all zoning districts that would continue to permit self-storage as-of-right, which are mapped in all five boroughs of New York City. They are referred to in this Environmental Impact Statement ~~EIS~~ as M and C8 districts outside of Designated Areas. These areas are dispersed in all boroughs and Community Districts of New York City (see Figure 9 and Figure 10). The citywide perspective allows for an assessment of the self-storage industry in a comprehensive manner, including the wider implications of the proposed text amendment, which may potentially have environmental effects beyond the proposed Designated Areas in M districts.

M and C8 districts outside of Designated Areas
and number of existing self-storage facilities³

Borough	Community District	Acres	Existing self-storage facilities	Under or pre-construction self-storage
Manhattan	1	1		
	2	54	2	
	3	2	3	
	4	86	11	
	5	0		
	6	0		
	7	0	2	
	8	13	1	1
	9	7	5	
	10	9	4	
	11	9	4	
	12	11	2	
Bronx	1	93	8	
	2	30		
	3	66	5	1
	4	43	5	1
	5	23	1	
	6	54	2	
	7	26	2	
	8	37	2	1
	9	56	3	

³ The amount of land zoned for M and C8 outside of Designated Areas was calculated in ArcGIS. An overlay was performed between all M and C8 zoning districts and NYC’s Community Districts, which




excluded water areas, certain parks and the airport areas. In Response to Comments, the area count also excludes areas considered zoned but not viable for self-storage development. Additional exclusions included parks, rail yards, utilities Rikers Island, strong real estate markets in places like lower Manhattan, and publicly- owned or tax-exempt land.

	10	57		
	11	85	4	
	12	85	6	1
Brooklyn	1	252	1	
	2	77	13	
	3	90	1	
	4	73		
	5	53	6	
	6	162	3	
	7	111	4	
	8	51	7	
	9	21	3	
	10	37		
	11	98	2	
	12	127	1	
	13	81	4	
	14	20	1	
	15	43	1	
	16	24	2	
	17	39	4	
	18	86		
Queens	1	261	10	
	2	198	1	1
	3	50		
	4	34		1
	5	191	5	1
	6	30		
	7	482	4	
	8	0		
	9	30	4	
	10	33	2	
	11	6		
	12	89	6	
	13	88	3	

	14	65	3
Staten Island	1	366	4
	2	183	3
	3	534	4
Total		4,932	174
			7

Figure 9: M And C8 districts outside of Designated Areas

M and C8 Districts outside of Designated Areas

-  M and C8 districts outside Designated Areas in M districts
-  Areas viable for self-storage development *
-  Community Districts

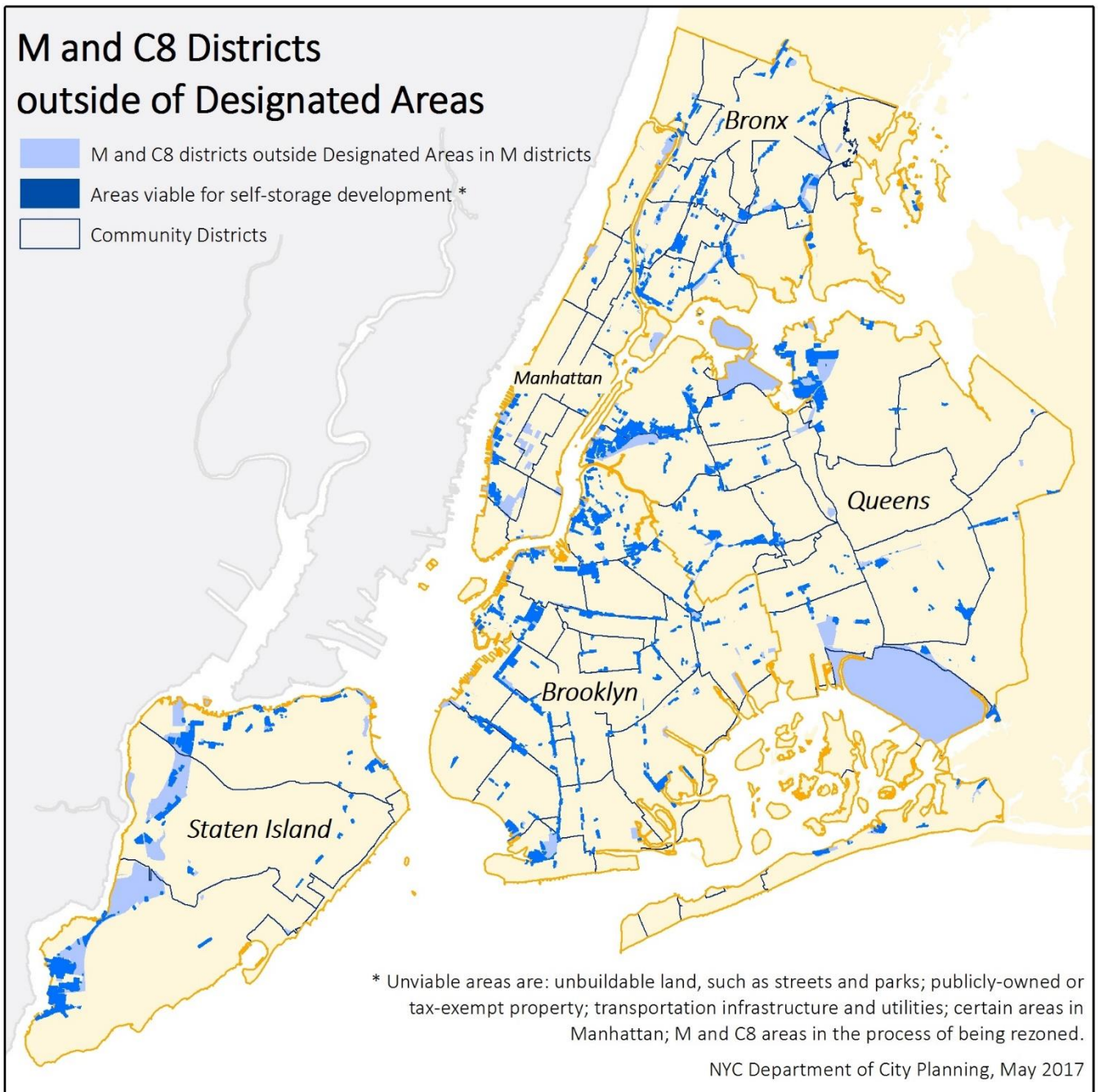


Figure 10: M and C8 districts outside of Designated Areas

B. Build Year

CEQR requires analysis of the project's effects on its environmental setting. For those projects that would be implemented quickly following approval, the current environment would be the appropriate environmental setting. However, proposed projects typically are completed and become operational at a future date, and therefore, the environmental setting is the environment as it would exist at project completion and operation. Therefore, future conditions must be projected. This prediction is made for a particular year, generally known as the “analysis year” or the “build year,” which is the year when the proposed project would be substantially operational.

As discussed in the *CEQR Technical Manual*, for some generic actions, where the build-out depends on market conditions and other variables, the build year cannot be determined with precision. In these cases, per CEQR guidelines, a build year ten (10) years in the future is considered reasonable, as it captures a typical cycle of market conditions and represents a timeframe within which predictions of future development may be made without a high degree of speculation. This is a typical time frame for area-wide rezonings not associated with a specific development, since it is assumed to be the length of time over which developers would act on the change in zoning and the effects of the Proposed Action would be experienced. Therefore, an analysis year of 2027 will be used for this environmental review.

C. Existing Conditions

In early 2017, there were approximately 240 self-storage facilities in New York City. The borough of Brooklyn had the most self-storage facilities, followed by Queens and the Bronx (see Figure 11). The majority of self-storage facilities are in M districts, since M districts are more widely mapped than C8 districts – the only other zoning districts where self-storage is currently allowed as-of-right. A number of self-storage facilities also exist outside of M or C8 districts (listed as Other, in Figure 11), but these facilities are either non-conforming uses or legal conversions in areas that were subsequently rezoned. As explained earlier, in New York City’s current market it is relatively unusual for a new self-storage facility to site in a residential district as a legal, non-conforming use, when a residential use could be developed as-of-right.

Number of self-storage facilities, by borough and zoning

	Total	Other	C8 district	M-district outside proposed Designated Area	M district in proposed Designated Area
Brooklyn	73	12	17	24	20
Bronx	54	8	7	22	17
Manhattan	35	18	3	14	
Queens	63	10	2	26	25
Staten Island	14		1	10	3
Citywide	239	48	30	96	65

Figure 11: Self-storage facilities by borough and zoning
Source: DCP January 2017, existing self-storage facilities (excludes pre-construction)

Estimated new self-storage facilities per year, by location*

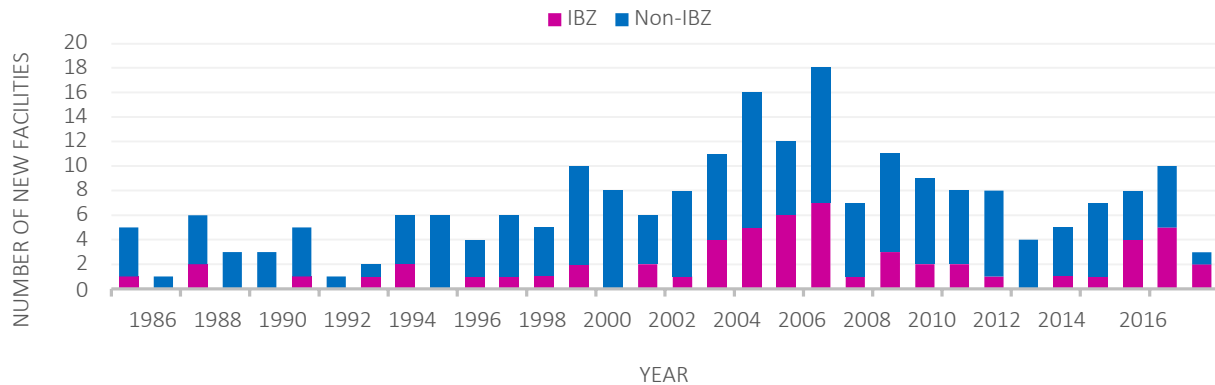


Figure 12: Estimated new self-storage facilities per year, by location
 *Approx. 7 percent of existing facilities lack data and are not included in this chart

NYC Dept. of City Planning, January 2017. Sources: PLUTO v16 Year Built/Year Altered or DOB Permit database Year Building Permit Issued

Overall, about one quarter of all self-storage facilities are located in the proposed Designated Areas in M districts, meaning that the large majority of facilities have been developed outside NYC’s most active industrial areas.

The above chart⁴ (Figure 12) depicts the number of new self-storage facilities developed annually. The chart does not include approximately seven percent of existing self-storage facilities (N=17), because the build year of those facilities could not adequately be determined with the data sources at hand. Accordingly, the actual development numbers would be slightly higher than those represented in the chart.

In the 1980s and 1990s, there was only a modest amount of self-storage development in New York City. Around the year 2000, self-storage development became more prevalent, peaking in the mid-2000s and maintaining a relatively constant rate over the last decade. Between 2007 and 2016, the chart shows that an average of eight new facilities opened citywide on a yearly basis. Over the same time span, between 2007 and 2016, an average of about two self-storage facilities per year have opened in proposed Designated Areas in M districts, or one quarter of all self-storage development.

In the most recent years, it appears that the share of facilities being developed in proposed Designated Areas in M districts is growing: approximately 50 percent of the new facilities were located in Designated

⁴ Year estimates are based on two data sources: PLUTO v16, which is based on DOF data *Year Built/Year Altered*, or the DOB Permit database, *Year Building Permit Issued* (P or Q permits). These sources are not perfectly comparable and may contain certain errors. DCP uses these sources for a general indication of self-storage development trends, since there are no other, more reliable sources. The created charts are meant to depict general trends and should not be analyzed on a year-by-year basis. Due to potential data inaccuracies and the presence of certain market cycles, future self-storage development projections are based on general trends in the last decade, rather than recent short-term trends, which are typically less reliable.

Areas. However, this trend is not clearly discernible, since the pre-construction pipeline does not follow such a pattern. As of mid-January 2017, there were 9 self-storage facilities in the pre-construction process. Four of the facilities in the pre-construction process will be built in Queens, and four in the Bronx (see Figure 13 below). Two of the nine self-storage developments in the pre-construction process are to be developed in proposed Designated Areas in M districts, which reflects the last decade’s average rate (25 percent), but is a lower share than in the last few years. Due to the inconclusive data, it is not possible to predict whether in the future without the proposed action, self-storage development would increasingly occur in the proposed Designated Areas in M districts, or whether the geographic development patterns would remain similar to those in the past.

Number of self-storage facilities in the pre-construction phase

	Total	Outside IBZ	In IBZ
Bronx	4	3	1
Brooklyn			
Manhattan	1	1	
Queens	4	3	1
Staten Island			
Citywide	9	7	2

Figure 13: Pre-Construction Self-Storage
Source: DCP January 2017, status based on DOB Permit Database

Although self-storage is thriving and many facilities are being developed, growth has not been uniform in all boroughs of NYC; there have been a handful of self-storage facilities that have closed. Two examples can be pointed to, where this has occurred: 847 11th Avenue in Manhattan was demolished and rebuilt as residential, and 517 W 29th Street is in the process of being demolished and was purchased by a developer of condos. While today there are only few examples of self-storage facilities closing, in the long-term DCP expects the re-conversion or demolition of self-storage facilities to become more common in parts of Manhattan and in downtown Brooklyn, where residential development is permitted and market conditions have changed significantly. However, currently this trend is too marginal to be quantified and it is not anticipated to become prevalent before 2027 (build year). Consequentially, this trend is not discussed further in the Environmental Impact Statement, ~~this EAS~~.

D. Future No-Action Condition

Self-storage Citywide

Development patterns in the self-storage industry are anticipated to continue, with ongoing growth for the self-storage industry in NYC (REIS, 2015) and the city remaining undersupplied with this type of facility compared with the national average. It is not possible to project with certainty the number and location of self-storage facilities that will be developed in the No-Action condition within the proposed Designated Areas in M districts or in M and C8 districts outside of Designated Areas. However, in order to complete a thorough environmental analysis that enables the Department of City Planning to understand the potential impacts of the Proposed Action, a reasonable and conservative framework has been developed. This framework is based on self-storage development trends of the last ten years, which have been relatively constant.

Number of self-storage facilities projected Citywide by the Build Year (No-Action) based on the continuation of the rate of self-storage development in the last ten years (2007 – 2016), amounting to 8.5 new self-storage development per year
Citywide projection
9 self-storage facilities in pre-construction (next 1 year)
+
8.5 new facilities per year x 9 years
9 + (9 x 8.5) ≈86

Figure 14: Citywide, self-storage No-Action

As shown by Figure 12, over the last decade, an average of 7.7 new self-storage facilities were built annually. Figure 12 does not include approximately seven percent of existing self-storage facilities (N=17), because the build year of those facilities could not adequately be determined. Accordingly, the actual development numbers would be slightly higher than those represented in Figure 12. For analytic purposes, it is assumed that these seventeen facilities were completed within the last two decades. Accordingly, 0.85 (17 facilities/20 years = 0.85 facilities per year) self-storage facilities were added to the yearly average in order to account for these seventeen self-storage facilities. Adding 0.85 to the 7.7 yearly self-storage facilities of Figure 12, the total of new self-storage facilities per year over the last decade would amount to an average of 8.5. For the purpose of environmental analysis, DCP estimates that within the next year, the nine self-storage developments that are currently in the pre-construction process will be completed (see Figure 13). For the remaining nine years until the Build Year, beyond the pre-construction pipeline, it is assumed that the last decade's rate of self-storage development will continue. As explained above, the rate of self-storage development in NYC in the last decade averaged about 8.5 new self-storage facilities per year. Projecting this rate of self-storage development into the future is reasonable and conservative, since the self-storage industry expanded significantly in New York City in the last decade, and is expected to continue to grow, and thus maintain a similar development trend until the Build Year. Accordingly, an additional 8.5

self-storage facilities per year are expected to be built until the Build Year. As shown by Figure 14, this amounts to a total of approximately eighty-six projected new self-storage facilities citywide by the time of the Build Year.

Although approximately eighty-six new facilities are anticipated, the location of these facilities will most likely not be evenly distributed across the boroughs. Given that only one of the self-storage developments in the pre-construction phase is located in Manhattan, and none are in Staten Island, and that these boroughs' real estate market conditions tend to result in other types of development, it is expected that the large majority of the projected self-storage facilities would site in the Bronx, Brooklyn, and Queens.

Regarding the customer base of self-storage facilities, which are primarily households with a mix of business tenants, due to a lack of specific information, the future No-Action Condition regarding self-storage customers cannot be determined. It is plausible to assume a continuation of the existing condition, in which the majority of self-storage units will still be leased by households, and that approximately 20-30 percent of self-storage units would be leased by small businesses, according to information provided by the industry.

Geographic distribution of self-storage facilities in NYC in No-Action Condition

To the extent that recently observed trends in proposed Designated Areas in M districts will continue, DCP forecasts these areas to generally maintain a similar rate of industrial employment versus non-industrial employment and to globally remain more industrial than the M and C8 districts outside of Designated Areas.

As explained above, the rate of self-storage development in NYC in the last decade averaged about 8.5 new self-storage facilities per year, meaning that the number of projected new self-storage facilities to be developed citywide by the time of the Build Year amounts to approximately eighty-six (Figure 14). This estimate is based on the assumption that self-storage will continue to proliferate and grow, given that New York City will remain relatively undersupplied with this type of facility, compared with the national average, and is deemed to be conservative for the purpose of the analytic framework.

Although eighty-six facilities are anticipated to be built, the location of these facilities is not anticipated to be evenly distributed across the boroughs. Over the last decade (2007 – 2016), about one quarter of self-storage development has occurred in proposed Designated Areas in M districts and the other three quarters has for the most part taken place in M and C8 districts outside of Designated Areas.

M and C8 districts outside of Designated Areas

Over the last decade, the majority of self-storage development has occurred in M and C8 districts outside of Designated Areas. However, considering that population and employment are growing in New York City, these areas – typically less industrial in character, often closer to transit and residencies, tending to consist of smaller lots – may gain an increasing share of development in commercial, community facility and other uses. It is possible that self-storage would decrease in competitiveness compared to other uses in these areas, and may increasingly occur in the proposed Designated Areas in M districts. In that sense, the ratio of self-storage facilities built in proposed Designated Areas in M districts versus other areas could change, with proposed Designated Areas in M districts absorbing an increasingly larger share of self-storage development. Because data regarding whether such a trend already exists is inconclusive (see Existing Conditions), it is assumed that the future share of new facilities siting in Designated areas in M districts will resemble the patterns of the last decade. Understanding that the total number of projected self-storage facilities amounts to 8.5 per year in the No-Action Condition (see Figure 14), and past rates of self-storage development place about three-quarters of these facilities in M and C8 districts outside of Designated Areas, approximately 6.5 self-storage facilities would be developed on a yearly basis in M and C8 districts outside of Designated Areas (see Figure 15).

Proposed Designated Areas in Manufacturing districts

The number of self-storage developments within proposed Designated Areas in Manufacturing districts amounts to an average of about two self-storage facilities per year between 2007 and 2016, representing approximately one quarter of all self-storage development (see Figure 12). In the most recent years, it appears that the share of facilities being developed in proposed Designated Areas in M districts is growing, but the pre-construction pipeline does not follow this pattern (see Figure 13), and so the data remains inconclusive. For analytic purposes, it is assumed that the last decade's trends will continue until the Build Year, meaning that the number of self-storage facilities that could be expected in proposed Designated Areas in M districts until the Build Year would amount to approximately 20 (see Figure 15). This includes also the two self-storage facilities which are in the pre-construction phase (see Figure 13).

According to Figure 14 and Figure 15, the number of new self-storage facilities projected by the time of the Build Year amounts to eighty-six. This is a conservative estimate for the purpose of this analysis, and a generous assessment of the amount of self-storage development that may occur over the next decades, since it is based on the last decade's rate of self-storage development – a decade, which marked a significant expansion period for the self-storage industry.

Number of self-storage facilities projected by the Build Year (No-Action) by Location	
Based on the continuation of the rate of self-storage development in the last ten years (2007 – 2016), amounting to 8.5 new self-storage development per year on a citywide basis: one quarter in Designated Areas, and three-quarters in M and C8 districts outside of Designated Areas.	
Proposed Designated Areas in M districts	Citywide, excl. proposed Designated Areas
2 self-storage facilities in pre-construction (next 1 year); and	7 self-storage facilities in pre-construction (next 1 year); and
2 new facilities per year x 9 years	6.5 new facilities per year x 9 years
2 + (9 x 2)	7 + (9 x 6.5)
≈20	≈ 66

Figure 15: Detailed, self-storage No-Action

Projections

In Designated Areas in M districts, these projected self-storage developments may utilize land and buildings that could instead be made available to industrial businesses that provide a greater number of jobs and/or essential industrial services. As described in Attachment A, self-storage tends to occupy large sites along designated truck routes, in a context where such large sites are becoming increasingly scarce. Since those sites are crucial locations for many industrial businesses and are in limited supply in NYC, their use for self-storage is regarded as a lost opportunity in proposed Designated Areas in Manufacturing districts, which are the City’s target areas for the realization of economic development goals supporting a range of industrial and other employment-generating business activities.

In the No-Action Condition, self-storage would occupy approximately twenty large lots in proposed Designated Areas in M districts within ten years, which could be suitable for otherwise hard-to-site, large scale, employment-supporting or essential industrial uses such as logistics, wholesale and distribution, construction and film production. The number of foregone opportunities for industrial development could be considerable, given the City’s active efforts to maintain and grow industrial employment opportunities in IBZs.

Without the Proposed Action, existing trends are expected to continue and scarcity for large, industrial sites may become more acute. Given the policy goals formulated under Mayor de Blasio’s 10-point Action Plan, maintaining the availability of optimal industrial sites for industrial businesses is crucial. Under the Future No-Action Condition, the City’s vision for proposed Designated Areas in M districts, as active industrial areas for commercial and industrial innovation, employment growth and the provision of essential industrial services and utilities is potentially discouraged by the continued growth of self-storage facilities.

E. Future With-Action Condition

Self-storage Citywide

The Proposed Action introduces a discretionary approval process by CPC Special Permit for self-storage development within proposed Designated Areas in M districts. CPC Special Permits present a disincentive to the development of self-storage development facilities, since obtaining the Special Permit can add significant time, costs and uncertainty to a project. Accordingly, it is reasonable to assume that a CPC Special Permit would have the effect of slowing the rate at which self-storage is developed in the proposed Designated M districts and increasing the rate at which it is developed in the areas that remain as-of-right.

Overall, by 2027, the Proposed Action may lead to a somewhat reduced number of additional self-storage facilities in New York City; some self-storage projects that may have occurred in the No-Action Condition may never get realized. Because the directly affected area covers a considerable amount of the area where self-storage is permitted as-of-right today (4249 percent, see Figure 6.), it can be expected that the Proposed Action would to a certain extent, reduce the number of sites available to developers of self-storage, who would seek opportunities in neighboring municipalities. In this case, the Proposed Action would likely increase self-storage development in counties such as Westchester and Nassau in New York State, or Bergen and Hudson in the state of New Jersey. Here, land is typically more widely available and also less expensive than in New York City. However, considering the importance of the New York City market for the self-storage industry, it is generally expected that the industry will continue to seek siting opportunities in New York City, despite the Proposed Action. For instance, self-storage development that would have located in the Designated Areas in Manufacturing districts may seek siting opportunities in M and C8 districts in New York City, where the Special Permit is not proposed.

As in the No-Action Condition, it is not possible to project with certainty the number and location of self-storage facilities that will be developed until the Build Year in the With-Action condition. Nevertheless, for the purposes of environmental review, a reasonable and conservative framework has been developed, which is based on past self-storage development trends and other plausible, well-explained assumptions. This framework allows for an analytical analysis, but is not intended to capture the character or totality of future self-storage development, which is to a large extent unknown.

The number of self-storage facilities that would not be built in New York City due to the Proposed Action cannot be determined with precision. Since demand for self-storage is very strong and the industry is highly lucrative, it is expected that the industry will continue to seek and find siting opportunities in New York City, despite the Proposed Action. The Proposed Action would apply to 4249 percent of the land area where self-storage is currently permitted as-of-right, and where on average one quarter of self-storage development has occurred. Accordingly, the Proposed Action does not include the areas, where the majority of self-storage development has occurred, and zoning districts permitting self-storage development as-of-right would remain in all Community Districts in New York City. Furthermore, in some instances, developers will likely apply and receive a Special Permit to develop facilities in proposed Designated Areas in M districts (see next section for more details). Considering all of these factors, it is expected that the Proposed Action will not as much affect the total number of new self-storage developments in NYC, as it will affect the *location* of those new facilities within the city boundaries. Hence, for the purpose of this analysis, it is projected that the Proposed Action would result in the change of location of one new self-storage facility per every two years beyond city boundaries. This implies that under the With-Action Condition, the number of projected new self-storage facilities would amount to 8 per year until the Build Year on a citywide basis, as compared to the 8.5 per year under the No-Action Condition.

The Proposed Action is not expected to alter any self-storage developments that are currently in the pre-construction phase (see Figure 13). Operating under the assumption that the building permits would be issued before the date of enactment of this proposed text amendment, the nine projects that are currently in the pre-construction phase are anticipated to be completed. This assumption is reasonable, since developers need to obtain only a building permit and complete foundations, if constructing a new building, in order to comply with the vesting terms and receive permission to finish the project. Vesting rules are outlined in Section 11-30 of the *NYC Zoning Resolution* and have been written in order to include an adequate amount of flexibility and not impose undue hardship on property owners. If the foundations are started, but not completed, the building permit would lapse, but the developer may still apply to the BSA to renew the building permit to complete the foundations. The BSA may grant an extension of six months. Furthermore, property owners, aware of proposed zoning text amendments, tend to comply with the vesting rules by obtaining building permits and completing foundations. Accordingly, any project that is currently already in the pre-construction process is likely to be completed, and is not expected to be affected by the Proposed Action.

<p>Number of self-storage facilities projected by the Build Year (With-Action), Citywide Based on the continuation of the rate of self-storage development in the last ten years (2007 – 2016), and including a net reduction of one facility per two years due to the Proposed Action.</p>
<p>Citywide projection</p>
<p>9 self-storage facilities in pre-construction (next 1 year) + 8 new facilities per year x 9 years</p>
<p>$9 + (9 \times 8) \approx 81$</p>

Figure 16: Citywide, self-storage With-Action

Overall, the Proposed Action would likely lead to slightly fewer self-storage facilities in NYC by the Build Year. This implies that the Proposed Action would slightly constrain supply and could potentially diminish the self-storage industry’s ability to satisfy market demand, which in return would lead to a modest increase in the price of self-storage units. The extent to which this would occur, and the prices at which self-storage units would be leased, are difficult to estimate. However, it is plausible to assume that the slight increase in self-storage rates due to the Proposed Action would help the operating side of the self-storage industry, and also increase the value of pre-existing grandfathered self-storage facilities, while the development side would experience a small number of lost opportunities and slightly diminished revenues.

The potential modest rate increases for self-storage may affect certain households' and small businesses' ability to rent self-storage units or their ability to pay for such units, if demand stays strong. Households and businesses alike may have to travel further to access units in the desired price range or rent smaller units, resulting in some inconvenience. Furthermore, there may also be a certain shift in customer demand. Businesses may increasingly lease warehousing space, instead of self-storage units, and the on-demand storage model may become prominent. This alternative business model in the household storage market is gaining popularity. A shift in customer preferences, away from self-storage and toward on-demand storage, would reduce the demand for self-storage and consequently also the number of self-storage facilities developed in the future.

Geographic distribution of self-storage facilities in NYC in With-Action Condition

Regarding the distribution of self-storage facilities within New York City's five boroughs, DCP expects that the majority of the self-storage facilities would site in the Bronx, Brooklyn, and Queens. However, the Proposed Action is expected to have a certain effect on the siting locations city wide, since a Special Permit would be required in proposed Designated Areas in M districts.

Estimating the location of self-storage facilities that may get developed due to the Proposed Action is complex, particularly since self-storage facilities typically serve residents living within a few-mile radius (SSA, 2015a). This means that location and access are one of the most important factors in new self-storage development, and that the industry – to the extent that it is permitted by zoning – seeks to disperse facilities in the city, in order to limit competition. Because New York City is so densely inhabited, multiple self-storage facilities may serve the same neighborhood. Nevertheless, it can be expected that once a certain threshold of self-storage units in a given neighborhood is reached, the market is saturated and new self-storage development is no longer profitable within that area.

Proposed Designated Areas in Manufacturing districts, With-Action Condition

DCP projects less self-storage development in Designated Areas in Manufacturing districts under the With-Action Condition than the No-Action Condition. The introduction of a new discretionary approval process is likely to present a disincentive to the development of self-storage since some self-storage developers may be reluctant to undergo a discretionary review process. Yet, demand for self-storage is not close to being saturated, according to the New York Self Storage Association and is highly lucrative. Accordingly, it is plausible to assume that the Special Permit discretionary review process would not deter all self-storage developers, and that a certain amount of Special Permits may be applied for. It is expected that those CPC Special Permit applications would be granted, since the objectives and findings of the proposed Special Permit would permit self-storage development on sites that are suboptimal for industrial businesses. As detailed by the findings of the Special Permit, this includes sites that: are smaller, cannot be easily accessed by major streets, and are not located in areas where there is active investment in employment-intensive industrial uses. The Department of City Planning expects that there would be many sites within the proposed Designated Areas in M districts, where such findings could be met (see examples under Attachment A, Figure 4 and Figure 5).

Under the With-Action Condition, the number of self-storage facilities developed in Designated Areas in Manufacturing districts under the CPC Special Permit framework cannot be precisely determined. For the purpose of this analysis, past application trends of a Special Permit similar to the Proposed Action were used as a reference.

The existing CPC Special Permit for large retail establishments, outlined in Section 74-922 of the *NYC Zoning Resolution*, is considered to share several similarities with the proposed self-storage CPC Special Permit. Similar to the Proposed Action, the 74-922 CPC Special Permit targets a land-intensive, non-industrial use: large retail establishments, described as department stores, carpet, rug, linoleum or other floor covering stores, clothing or clothing accessory stores, dry goods or fabric stores, food stores, furniture stores, television, radio, phonograph or household appliance stores, or variety stores. Furthermore, the 74-922 CPC Special Permit applies to Manufacturing districts, and was introduced in 1974, at least partially with the intention of protecting Manufacturing districts and ensuring that large retail establishments wouldn't impair the essential character or the future use of or development of the area. The CPC report (CP 22683), dated July 10th 1974, states on pages 1 and 2:

Manufacturing district regulations currently allow a wide range of non-manufacturing activities to occupy land that otherwise could be available for industrial uses and which generate additional traffic. [...] If Manufacturing land is to be protected in the long term, the Zoning Resolution must clearly establish that certain areas should be set aside for manufacturing, even when the industrial land market is slow. Accordingly, the City Planning Commission proposes to eliminate certain non-manufacturing uses from manufacturing districts and to allow others by special permit only.

Accordingly, the 74-922 CPC Special Permit represents an adequate reference for the proposed CPC Special Permit for self-storage.

An analysis of the number of applications received for the 74-922 CPC Special Permit shows that, since the Special Permit's inception in 1974, 67 Special Permits have been processed. In the ten-year timeframe between 2007 and the end of 2016, ten Special Permit applications were completed, or an average of one CPC Special Permit per year. Using recent application patterns for the 74-922 CPC Special Permit, DCP projects that there would be one application per year for the CPC Special Permit for self-storage (see Figure 17).

The Proposed Action is not expected to alter any self-storage developments that are currently in the pre-construction phase (see Figure 13). Operating under the reasonable assumption that the building permits would be issued before the date of enactment of this proposed text amendment, the two developments that are currently in the pre-construction phase in proposed Designated Areas in M districts would presumably be completed. Accordingly, under the With-Action Condition, assuming all pre-construction projects are realized and one CPC Special Permit is applied for and granted on a yearly basis (amounting to a total of nine Special Permits), a total of eleven new self-storage facilities would be built in the proposed Designated Areas in M districts until the Build Year (see Figure 17).

M and C8 districts outside Designated Areas, With-Action Condition

As discussed earlier, beyond projects in the pipeline, over the next ten years, the projected number of new self-storage facilities is eight facilities per year on a citywide basis. This is because demand for self-storage is expected to follow the patterns of the last decade and will remain high. As explained above, it is expected that one self-storage facility per year will be built in a Designated Area in M districts. All other self-storage facilities would be developed in M and C8 districts outside of Designated Areas, which are the only areas where self-storage development could still occur as-of-right (see Figure 17). It is expected that self-storage developers would increasingly seek development opportunities in M and C8 districts outside of Designated Areas. These other areas mapped and dispersed in all boroughs and Community Districts of New York City (see Figure 9 and Figure 10).

Since the Proposed Action is not expected to alter any self-storage developments that are currently in at least the pre-construction phase, the seven self-storage facilities, which are in the pre-construction phase in the M and C8 districts outside of Designated Areas, would assumedly not be affected by the Proposed Action and be completed.

As a result, under the With-Action Condition, seventy self-storage facilities would be added to M and C8 districts outside of Designated Areas on a citywide basis by the time of the Build Year (see Figure 17).

Number of self-storage facilities projected by the Build Year (With-Action) by Location based on the continuation of the rate of self-storage development in the last ten years (2007 – 2016), including a net reduction of one facility per two years due to the Proposed Action, and assuming 1 Special Permit per year for development in Designated Areas.	
Proposed Designated Areas in M districts	Citywide, excl. Designated Areas
2 self-storage facilities in pre-construction (next 1 year); and	7 self-storage facilities in pre-construction (next 1 year); and
1 Special Permit x 9 years	7 new facilities per year x 9 years
2 + (9 x 1)	7 + (9 x 7)
≈11	≈ 70

Figure 17: Detailed, self-storage With-Action

This represents an increase of four new self-storage facilities in the M and C8 districts outside Designated Areas in M-districts by the time of the Build Year, compared to the sixty-six additional facilities projected in the No-Action Condition.

The modest increase in self-storage development could occur anywhere in New York City where self-storage development would still be permitted as-of-right. It cannot be exactly determined where the additional four new self-storage facilities, projected on a citywide basis by the time of the Build Year, would

be developed. However, it is clear that any such additional self-storage development would be relatively diffused; the potentially affected M and C8 districts are widely dispersed in the NYC and there are many sites where such development could potentially take place in these areas.

It is anticipated that a majority of the self-storage developments that would change location would site in M and C8 districts that adjoin Designated Areas in Manufacturing districts, which already have several self-storage facilities (see Figure 9). Here, existing market conditions already demonstrate a real demand for self-storage development. As such, DCP would expect the modest increase in self-storage development to take place in M and C8 districts within a couple-mile radius of proposed Designated Areas in M districts that have already experienced a greater amount of self-storage development (see Figure 9). Examples of such places include: Long Island City, Jamaica, Port Morris, Flatlands/Fairfield, Zerega and Southwest Brooklyn. The Designated Areas in the M districts in portions of those neighborhoods all have five or more self-storage facilities. As a result of the Proposed Action, the M and C8 districts within a couple-mile radius to these Designated Areas in Manufacturing districts would be expected to experience a minor increase in self-storage development. The boroughs of Brooklyn, Queens and Bronx each have two of these proposed Designated Areas in M districts, meaning that the areas, where such a modest increase could be projected, are relatively evenly distributed in the City.

These M and C8 districts near Designated Areas in Manufacturing districts are typically large and contain numerous potential sites where such additional self-storage facilities could be placed. Therefore it cannot be predicted with certainty where such a self-storage facility would be built. Self-storage does not only site on large existing lots, but it is also typical for assemblages to occur before the construction of such a facility.

Projections

On the whole, it is expected that the Proposed Action would lead to slightly fewer self-storage facilities in NYC by the Build Year. While the No-Action Condition projected an additional eighty-six new self-storage facilities in NYC within the next decade, the With-Action Condition projects a total of eighty-one new self-storage facilities. This represents five fewer facilities in the With-Action condition, compared to the No-Action condition, by the time of the Build Year. Only sites, which are suboptimal for industrial businesses, would meet the findings of the CPC Special Permit, and could still be developed for self-storage in Designated Areas in M districts.

DCP projects under the With-Action Condition, that there would be one application per year for the CPC Special Permit for self-storage in proposed Designated Areas in M districts, resulting in a total of eleven self-storage facilities in Designated Areas in M Districts until the Build Year (see Figure 17). Accordingly, the Proposed Action would result in a decrease of nine self-storage facilities in proposed Designated Areas in M districts by the time of the Build Year, and would ensure that the eleven projected self-storage facilities would not occupy sites that would be optimal industrial business siting opportunities.

Without the Proposed Action, large, industrial sites may become increasingly scarce. Comparing the With-Action to the No-Action Condition, it is expected that industrial businesses will experience decreased difficulties in finding opportunities to locate or expand in NYC's most active industrial areas, since approximately twenty large, industrial lots, located near truck routes and highways, should increasingly

remain available for these businesses until the Build Year. As such, the With-Action Condition is expected to result in a greater availability of sites in Designated Areas in Manufacturing districts for the potential development of industrial businesses, which provide essential industrial services, offer a greater number of jobs to New Yorkers and support the infrastructure of NYC.

The Proposed Action alone is not expected to directly induce industrial development: numerous factors influence the kind of uses that are developed in any given area, which remain beyond the scope of the Proposed Action. Although the With-Action Condition does not preclude other, non-industrial uses from occupying the sites where self-storage would not be developed due to the Proposed Action, these other uses are relatively uncommon in the proposed Designated Areas in M districts, which are NYC's most active industrial areas. Non-industrial uses have gravitated to M districts outside of Designated Areas, which likely have more desirable locations for these uses. Non-industrial uses, other than self-storage, are furthermore less likely to seek large lots along Designated Truck Routes in Designated Areas.

The Proposed Action solely aims to improve future siting opportunities for industrial businesses in NYC, in a context where industrial facilities are already permitted as-of-right in M districts. Although the Proposed Action itself would not induce development, the occurrence of industrial development is plausible, due to the existence of a variety of economic development policies in place in IBZs, including the 10-Point Industrial Action Plan, which incentivize industrial development through tax exemptions, subsidies and the provision of specific services. DCP cannot predict with certainty the kinds of businesses that may occupy a given site. In preparation for the for a complete analysis, the DEIS various representative examples of industrial development were reviewed. However, based on this wide range of uses and the various IBZ's, DCP determined that the range of future possibilities was so large and the different IBZ's so distinct, DCP could not complete a meaningful analysis that wasn't entirely speculative and further analysis was not possible. Therefore, representative examples serve to provide a description of the existing and potential With-Action conditions on a range of sites with characteristics typical of recent self-storage development, but no technical analysis was provided for these representative examples as there is a high level of uncertainty surrounding any potential development in the With-Action condition, which would render any analysis of projected uses and their impacts meaningless.

F. No-Action and With-Action Condition Compared

The No-Action Condition forecasted that eighty-six new self-storage facilities would be developed in New York City by the time of the Build Year: twenty in the proposed Designated Areas in M districts, and sixty-six in the M and C8 districts outside of Designated Areas. This number took into consideration the pre-construction pipeline, and projected an average of 8.5 new facilities per year beyond the pipeline. This estimate is deemed to be conservative for the purpose of this analysis and a generous assessment of the amount of self-storage development that may occur over the next decade.

The With-Action Condition projected a total of eighty-one new self-storage facilities on a citywide basis, leading to five fewer facilities by the time of the Build Year compared to the No-Action Condition (see Figure 18). Eleven new self-storage facilities would be built in proposed Designated Areas in M districts, and seventy self-storage facilities would be added to M and C8 districts outside of Designated Areas on a citywide basis by the time of the Build Year. When comparing the No-Action to the With-Action Condition, this represents a decrease in nine facilities in proposed Designated Areas in M districts, and an increase in

four facilities in the M and C8 districts outside Designated Areas in M-districts by the time of the Build Year.

No-Action and With-Action Condition Comparison		
Number of self-storage facilities projected by the Build Year		
	Proposed Designated Areas in M districts	Citywide, excl. Designated Areas
No-Action Condition	≈20	≈ 66
With-Action Condition	≈11	≈ 70

Figure 18: Comparison of No-Action and With-Action Condition

Overall, the With-Action Condition is expected to achieve the Purpose and Need of the Proposed Action, as outlined in Attachment A. The detailed and site-specific review process for new self-storage developments in Designated Areas in Manufacturing districts would help to better preserve potential industrial development sites by ensuring that self-storage would only get built on sites that are not optimal for industrial businesses. Ensuring the availability of large industrial lots as future industrial business locations, in a context where such businesses are growing and are already experiencing difficulties to operate and expand their NYC base, is a crucial component of the Industrial Action Plan. Importantly, the 10-point Industrial Action Plan is accompanied by a series of economic development measures targeting IBZs, which are oriented towards enabling industrial businesses to remain and grow in Industrial Business Zones.

VI. PROPOSED SCOPE OF WORK FOR THE DEIS

As the Proposed Action may affect various areas of environmental concern and has the potential for significant adverse impacts, a DEIS will be prepared. The DEIS will analyze the Reasonable Worst Case Development Scenario and the likely effects associated with the Proposed Action for all technical areas of concern.

The DEIS will be prepared in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York.

The DEIS, following the guidance of the *CEQR Technical Manual*, will contain:

- A description of the proposed project and its environmental setting;
- A statement of the environmental impacts of the proposed project, including short-term and long-term effects and any typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided should the proposal be implemented;
- A discussion of the social and economic impacts of the proposed project;
- A discussion of alternatives to the proposed project and the comparable impacts and effects of such alternatives;
- An identification of any irreversible and irretrievable commitments of resources that would be involved in the proposed project should it be implemented;
- A description of mitigation measures proposed to minimize significant adverse environmental impacts;
- A description of the growth-inducing aspects of the proposed project, where applicable and significant;
- A discussion of the effects of the proposed project on the use and conservation of energy resources, where applicable and significant; and
- A list of underlying studies, reports or other information obtained and considered in preparing the statement.

The specific technical areas to be included in the DEIS, as well as their respective tasks and methodologies, are described below.

A. Task 1. Project Description

The first chapter of the EIS introduces the reader to the Proposed Action and sets the context in which to assess impacts. This chapter contains a description of the Proposed Action: its location; the background

or history of the proposal; a statement of the purpose and need; a detailed description of the Proposed Action; and discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. This chapter is the key to understanding the Proposed Action and its impact and gives the public and decision makers a base from which to evaluate the Proposed Action.

In addition, the project description chapter will present the planning background and rationale for the actions being proposed and summarize the likely effects of the Proposed Action for analysis in the EIS. The section on approval procedure will explain the zoning text amendment processes, their timing, and hearings before the Community Board, the Borough President's Office, the CPC, and the New York City Council. The role of the EIS as a full disclosure document to aid in decision-making will be identified and its relationship to the discretionary approvals and the public hearings described.

B. Task 2. Land Use, Zoning and Public Policy

A land use analysis characterizes the uses and development trends in the area that may be affected by a Proposed Action, and determines whether a Proposed Action is either compatible with those conditions or whether it may affect them. Similarly, the analysis considers the action's compliance with, and effect on, the area's zoning and other applicable public policies. This chapter will analyze the potential impacts of the Proposed Action on land use, zoning, and public policy, pursuant to the methodologies presented in the *CEQR Technical Manual*, regarding Designated Areas in Manufacturing Districts, and also the M and C8 districts, where self-storage development would still be permitted as-of-right.

C. Task 3. Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. This chapter will assess the Proposed Action's potential effects on the socioeconomic character.

The five principal issues of concern with respect to socioeconomic conditions are whether a Proposed Action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries, pursuant to the *CEQR Technical Manual*.

The Proposed Action is not anticipated to cause adverse impacts with respect to indirect residential displacement, direct business and institutional displacement, indirect residential displacement and indirect business and institutional displacement. Nonetheless, in order to be conservative, these areas will be analyzed in the Draft Environmental Impact Statement (DEIS) per *CEQR Technical Manual* guidelines.

The proposed project *does* have the potential to have adverse effects on specific industries, however. The Proposed Action would introduce a CPC Special Permit for the development of self-storage in Designated

Areas in Manufacturing districts. The RWCDs projected less self-storage development taking place in Designated Areas in Manufacturing Districts under the With-Action Condition than under the Without-Action Condition, since the Proposed Action would present a disincentive to the development of self-storage.

According to data DCP has collected, 33 percent of existing conforming self-storage facilities are located in IBZs. This is a significant share of self-storage facilities in NYC. Furthermore, the Designated Areas in M Districts represent a considerable share of the areas in NYC where self-storage is currently permitted by zoning (M and C8 districts). As such, it is determined that the Proposed Action has the potential to significantly affect business conditions in the self-storage industry.

Based on the guidelines of the *CEQR Technical Manual*, a detailed assessment of adverse effects on specific industries is warranted, and will be explored in-depth in a DEIS. This assessment will take into account the directly affected areas (Designated Areas in Manufacturing Districts) as much as areas where self-storage development will remain permitted as-of-right. Accordingly, the assessment will analyze any potential impacts resulting from the cumulative changes across New York City or in specific neighborhoods as a result of the Proposed Action, as well as those associated with the proposed discretionary actions, discussed as a prototypical/ conceptual analysis.

D. Task 4. Community Facilities and Services

Community facilities, as defined under CEQR, include public or publicly funded schools, hospitals, libraries, day care centers, and fire and police protection. Direct effects occur when a particular action physically alters or displaces a community facility whereas indirect effects result from increases in population which create additional demand on service delivery. The demand for community facilities and services is directly related to the type and size of the new population generated by a proposed action. New residential developments tend to affect facilities, such as public schools, day care centers, libraries, and hospitals. According to the *CEQR Technical Manual*, a detailed community facility analysis is conducted when a proposed action would have a direct or indirect effect on a community facility.

The Proposed Action is not anticipated to result in any residential development. Nonetheless, for conservative purposes, a preliminary screening assessment of any potential impacts on community facilities and services will be explored in the DEIS.

E. Task 5. Open Space

Open space is defined as publicly or privately owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment. An analysis of open space is conducted to determine whether or not a Proposed Action would have direct effects resulting from the elimination or alteration of open space, increased noise or pollutant emissions, odors, or shadows on public open space; and/or an indirect effects resulting from overtaxing available open space. Based on the *CEQR Technical Manual*, an open space assessment is typically warranted if an action would directly affect an open space or if it would increase the population by more than:

- 350 residents or 750 workers in areas classified as “well-served areas;”
- 25 residents or 125 workers in areas classified as “underserved areas;”
- 200 residents or 500 workers in areas that are not within “well-served” or “underserved areas.”

The Proposed Action is a citywide action that will result in development that may have direct or indirect effects on open space. An assessment of any potential impacts on open space will be explored in the DEIS relying on a prototypical analysis, because it is not possible to evaluate the impacts of any specific development, considering that the specific location of future development projects is unknown.

F. Task 6. Shadows

The *CEQR Technical Manual* requires a shadows assessment for proposed actions that would result in new structures (or additions to existing structures) greater than 50 feet in height or located adjacent to or across the street from a sunlight-sensitive resource. Such resources include publicly accessible open spaces, important sunlight-sensitive natural features, or historic resources with sun-sensitive features.

It is not possible to evaluate the impacts of any specific development, as the specific location of future development projects is unknown. Therefore, a shadow assessment, using prototypical development scenarios, will be provided to determine how project-generated shadows would affect sunlight-sensitive resources. The shadow assessment would be coordinated with the open space, historic and cultural resources, and natural resources analyses and would be conducted in accordance with *CEQR Technical Manual* methodologies.

G. Task 7. Historic and Cultural Resources

Historic and cultural resources include archaeological (buried) resources and architectural (historic standing structure) resources. The *CEQR Technical Manual* identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. Historic and cultural resources include designated New York City Landmarks (NYCLs) and Historic Districts; properties calendared for consideration as NYCLs by the New York City Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation (NYCL-eligible); properties listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR- eligible), or properties contained within a S/NR listed or eligible district; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHLs); and potential historic resources (i.e., properties not identified by one of the programs listed above, but that appear to meet their eligibility requirements).

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is required if there is the potential to affect either archaeological or architectural resources. The Proposed Action could affect the type of development on sites within Designated Areas in Manufacturing Districts currently suitable for self-storage, which could result in significant effects to historic and cultural resources.

The proposed project could result in ground disturbance. Although it is not possible to evaluate the impacts of any specific development, as the specific location of future development projects is unknown, the

historic and cultural resources assessment will analyze the potential for significant adverse impacts based on prototypical scenarios. If warranted, a detailed analysis will be completed.

H. Task 8. Urban Design/Visual Resources

An area's urban components and visual resources together define the look and character of the neighborhood. The urban design characteristics of a neighborhood encompass the various components of buildings and streets in the area. These include building bulk, use and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. For CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include private residences or places of business.

It is not possible to evaluate the impacts of any specific development, as the specific location of future development projects is unknown. Therefore, the urban design and visual resources assessment in the EIS will be based on prototypical scenarios.

I. Task 9. Natural Resources

According to the *CEQR Technical Manual*, a natural resource is defined as a plant or animal species as well as any area capable of providing habitat for plant and animal species or capable of functioning to support environmental systems and maintain the city's environmental balance. Such resources include surface and groundwater, wetlands, dunes and beaches, grasslands, woodlands, landscaped areas, gardens, and build structures used by wildlife. According to the *CEQR Technical Manual*, an assessment of natural resources is appropriate if a natural resource exists on or near the site of the Proposed Action, or if an action involves disturbance of that resource.

It is not possible to evaluate the impacts of any specific development, as the specific location of future development projects are unknown. Therefore, the natural resources assessment will be based on prototypical scenarios.

J. Task 10. Hazardous Materials

A hazardous materials assessment determines whether a Proposed Action may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: (a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposures; (b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or (c) the project would introduce a population to potential human or environmental exposure from off-site sources.

The Proposed Action could affect the type of development on sites within Designated Areas in Manufacturing Districts, which could result in increased ground disturbance in areas where hazardous materials may be present. Accordingly, the chapter will include a discussion, by utilizing a prototypical analysis, of the Proposed Action's potential to result in significant adverse hazardous materials impacts.

K. Task 11. Water and Sewer Infrastructure

The *CEQR Technical Manual* requires an assessment of the potential effects of the Proposed Action on the City's water supply, wastewater treatment, and storm water management infrastructure in order to ensure that these systems have adequate capacity to accommodate land use or density changes. According to the *CEQR Technical Manual*, only projects that increase density or change drainage conditions on a large site require such an analysis.

Due to the generic nature of the Proposed Action, an assessment of the Proposed Action's potential impacts on water and sewer infrastructure will be conducted in the EIS based on a prototypical analysis

L. Task 12. Solid Waste and Sanitation Services

A solid waste assessment determines whether an action has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan or with state policy related to the City's integrated solid waste management system.

The EIS will include a preliminary screening assessment of the proposed project's potential to affect solid waste and sanitation services. If warranted, a more detailed analysis will be provided. The assessment will be based on a prototypical analysis, since the specific locations of future development projects are unknown.

M. Task 13. Energy

According to the *CEQR Technical Manual*, an EIS must include a discussion of the effects of the proposed action on the use and conservation of energy, if applicable and significant. In most cases, an action does not need a detailed energy assessment, but its operational energy is projected. A detailed energy assessment is limited to actions that may significantly affect the transmission or generation of energy. For other actions, in lieu of a detailed assessment, the estimated amount of energy that would be consumed annually as a result of the day-to-day operation of the buildings and uses resulting from an action is disclosed, as recommended in the *CEQR Technical Manual*.

Although significant adverse energy impacts are not anticipated, the EIS will include a preliminary screening analysis through utilizing a prototypical analysis to consider projected operational energy consumption. If warranted, a more detailed analysis will be provided.

N. Task 14. Transportation

Traffic and Parking

The objective of traffic and parking analyses is to determine whether a Proposed Action is expected to have significant impacts on street and roadway conditions or on parking resources. This includes the sufficiency of street and highway elements to adequately process the Proposed Action's expected traffic flow and operating condition changes, and the effect of the Proposed Action on parking resources in the area. According to the *CEQR Technical Manual*, a preliminary trip generation analysis for a project will generally be appropriate to determine the volume of vehicular trips expected during the peak hours. In most areas of the City, including the project area, if the Proposed Action is projected to result in fewer than 50 peak hour vehicular trip ends, traffic impacts would be unlikely, and therefore further traffic analysis would not be necessary.

An assessment of any potential impacts on traffic and parking due to the Proposed Action will be explored in the EIS by means of a prototypical analysis. The prototypical analysis is necessary because the specific location of future development projects is unknown, and the Proposed Action is a generic action.

Transit and Pedestrians

The objective of transit and pedestrian analyses is to determine whether a Proposed Action would have a significant impact on public transit facilities and services and on pedestrian flows. According to the general thresholds used by the Metropolitan Transportation Authority and specified in the *CEQR Technical Manual*, if a proposed development would result in pedestrian elements with 200 or more pedestrian trips, 50 or more bus trips in a single direction on a single route, or 200 or more passengers at a subway station or on a subway line during any analysis peak hour, further detailed analysis may be needed for a particular technical area.

An assessment of any potential impacts on transit and pedestrians due to the Proposed Action will be explored in the EIS. The EIS will include a preliminary screening assessment of the proposed project's potential to affect transportation including traffic and parking as well as transit and pedestrians. If warranted, a more detailed analysis will be provided.

O. Task 15. AirQuality

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources;" by fixed facilities, usually referenced as "stationary sources;" or by a combination of both. Under CEQR, an air quality analysis determines whether a proposed action would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air quality, and also considers the potential of existing sources of air pollution to impact the proposed uses.

An assessment of any potential impacts on air quality due to the Proposed Action will be explored in the EIS using a prototypical analysis, because specific locations of future development projects are unknown.

P. Task 16. Greenhouse Gas Emissions

As noted in the *CEQR Technical Manual*, increased concentrations of greenhouse gases (GHGs) are changing the global climate, resulting in wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. Through *PlaNYC*, New York City's long-term sustainability program, the City advances sustainability initiatives and goals to both greatly reduce GHG emissions and increase the City's resilience to climate change. The New York City Climate Protection Act, enacted as Local Law 22 of 2008, established the goal to reduce citywide GHG emissions to 30 percent below 2005 levels by 2030 (the "GHG reduction goal"). This goal was developed for the purpose of planning for an increase in population of almost one million residents while achieving significant greenhouse gas reductions.

The EIS for the proposed project will include a preliminary screening assessment of greenhouse gas emissions, and, if warranted, a more detailed analysis will be provided. A prototypical analysis will guide this assessment, because it is not possible to evaluate the impacts of any specific development, as specific locations of future development projects are unknown.

Q. Task 17. Noise

The *CEQR Technical Manual* requires an assessment of the Proposed Action's potential effects on sensitive noise receptors (including residences, health care facilities, schools, open space, etc.) and the potential noise exposure at any new sensitive receptors introduced by the Proposed Action. Based on the projected likely effects of the Proposed Action, a noise assessment will be prepared in accordance with the *CEQR Technical Manual*. While site specific impacts are impossible to predict, prototypes will be developed and utilized.

R. Task 18. Public Health

The *CEQR Technical Manual* defines as its goal with respect to public health, "to determine whether adverse impacts on public health may occur as a result of a proposed project, and if so, to identify measures to mitigate such effects." According to the *CEQR Technical Manual*, for most proposed projects, a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in one of these analysis areas, the lead agency may determine that a public health assessment is warranted for that specific technical area.

An assessment of the Proposed Action's potential impacts on public health will be conducted in the EIS by means of a prototypical analysis, because it is not possible to evaluate the impacts of any specific development, considering that the specific location of future development projects are unknown.

S. Task 19. Neighborhood Character

The *CEQR Technical Manual*, defines neighborhood character as an amalgam of the various elements that give neighborhoods their distinct personality. These elements can include land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation and noise, but not all of these elements contribute to neighborhood character in all cases. For neighborhood character, *CEQR* considers how those elements combine to create the context and feeling of a neighborhood, and how an action would affect that context.

According to the *CEQR Technical Manual*, an assessment of neighborhood character may be appropriate if the proposed action impacts any of those individual elements within a neighborhood. It is also possible that several moderate changes in the elements that contribute to a neighborhood's character could lead to a significant impact on neighborhood character. Generally, neighborhood character impacts are rare, and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects to the neighborhood would result in an impact to neighborhood character. Moreover, a significant impact identified in one of the technical areas that contribute to a neighborhood's character is not automatically equivalent to a significant impact on neighborhood character, but rather serves as an indication that neighborhood character should be examined.

Methodologies outlined in the *CEQR Technical Manual* will be used to provide an assessment of neighborhood character. This assessment will take into account the directly affected areas (Designated Areas in Manufacturing Districts) as much as areas where self-storage development will remain permitted as-of-right. Accordingly, the assessment will analyze any potential impacts resulting from the cumulative changes across New York City or in specific neighborhoods as a result of the Proposed Action, as well as those associated with the proposed discretionary actions, discussed as a conceptual analysis.

T. Task 20. Construction

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction impacts are usually important when construction activity has the potential to affect transportation conditions, archaeological resources and the integrity of historic resources, community noise patterns, air quality conditions, and mitigation of hazardous materials.

This chapter of the EIS will provide a preliminary impact assessment following the guidelines in the *CEQR Technical Manual* and though not anticipated, if additional analysis is required, a detailed assessment will be conducted. The assessment will be guided by a prototypical analysis.

U. Task 21. Mitigation

Where significant adverse impacts have been identified in the analyses discussed above, measures will be assessed to mitigate those impacts, to the extent practicable and feasible. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

V. Task 22. Alternatives

The purpose of an alternatives analysis is to examine reasonable and practicable options that avoid or reduce project-related significant adverse impacts while achieving the goals and objectives of the Proposed Action. The specific alternatives to be analyzed are typically finalized with the lead agency as project impacts become clarified. A No Build Alternative, which describes the conditions that would exist if the Proposed Action was not implemented, is required, and will be analyzed.

The alternatives analysis will be qualitative or quantitative as appropriate. Where project-related significant adverse impacts are identified, a quantitative assessment will be conducted. The level of analysis will depend on an assessment of project impacts determined by the analysis connected with the appropriate tasks.

W. Task 23. Summary EIS Chapters

In accordance with CEQR guidelines, the EIS will include the following three summary chapters, where appropriate to the Proposed Action:

Unavoidable Adverse Impacts - which summarizes any significant adverse impacts that are unavoidable if the Proposed Action is implemented regardless of the mitigation employed (or if mitigation is not feasible).

Growth-Inducing Aspects of the Proposed Action - which generally refer to “secondary” impacts of a Proposed Action that trigger further development.

Irreversible and Irrecoverable Commitments of Resources - which summarizes the Proposed Action and its impacts in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the longterm.

X. Task 24. Executive Summary

The executive summary will utilize relevant material from the body of the EIS to describe the Proposed Action, its environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Action. The executive summary will be written in enough detail to facilitate drafting of a notice of completion by the lead agency.

Responses to Comments on the Draft Scope of Work for the Draft Environmental Impact Statement for the Self-Storage Text Amendment

A. INTRODUCTION

This document summarizes and responds to comments on the Draft Scope of Work, issued on March 1, 2017, for the Self-storage Text Amendment. Oral and written comments were received during the public scoping meeting held by the Department of City Planning (DCP) at Spector Hall, 22 Reade Street, New York, NY 10007 on March 30, 2017. Written comments were accepted through the close of the public comment period, which ended at 5 PM on Monday, April 10, 2017.

Section B lists the organizations and individuals that provided comments on the Draft Scope of Work. Section C contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the Draft Scope of Work. Where more than one commenter expressed similar views, those comments have been grouped and addressed together. All letters and comments submitted by the organizations and individuals to the Department of City Planning are included in Appendix A. Appendix A also includes oral and written comments received at the public scoping meeting.

B. LIST OF ORGANIZATIONS AND INDIVIDUALS THAT COMMENTED ON THE DRAFT SCOPE OF WORK

ELECTED OFFICIALS

1. Councilmember Melissa Mark-Viverito, Council Speaker
2. Councilmember David Greenfield, Chair, Land Use Committee
3. Councilmember Donovan Richards, Chair, Subcommittee on Zoning & Franchises
4. Councilmember Antonio Reynoso
5. Councilmember Rafael Salamanca
6. Councilmember Carlos Menchaca
7. Councilmember Steven Levin
8. Councilmember Brad Lander
9. Brooklyn Borough President Eric Adams

ORGANIZATIONS

10. Steven Russo – Greenberg Traurig
11. Jesse Masyr – Fox & Rothschild
12. Ross Moskowitz - Stroock & Stroock & Lavan LLP
13. Timothy Dietz - National Self-Storage Association
14. Frank Crivello - New York Self-Storage Association
15. Ethan Goodman - Fox & Rothschild
16. Armando Moritz-Chapelliquen – ANHD
17. Mitch Sternbach - Greater Jamaica Development Corporation
18. Alef Tadese - Greenpoint Manufacturing and Design Center
19. Justin Collins - Southwest Brooklyn Industrial Development Corp.
20. Marc Sharinn - Safe N Lock Self-Storage

21. Ari Goldman - Safe N Lock Self-Storage
22. Jeremy Kozin – Greenberg Traurig representing PR III/MD Storage I Holdings, LLC
23. Natasha Payne - Safe N Lock Self-Storage
24. Maeve Marcello - Safe N Lock Self-Storage
25. Stuart Beckerman - Slater & Beckerman
26. Kari Bailey - Pratt Center
27. Varun Sanyal - Brooklyn Chamber of Commerce
28. Thomas J. Grech – Queens Chamber of Commerce
29. Quincy Elly-Cate – BOC
30. Adam Gordon - Madison Development LLC
31. Darryl Hollon - BOC Network
32. Jackie Nicasio – IEH
33. Roman Matthews – A Forum for Life
34. Evergreen
35. Aron Kurlander – Greater Jamaica Development Corporation
36. Jack Guttman - Chelsea Development Group
37. Frank Relf - Frank G. Relf Architect PC
38. Andrew Fishman – SMR Craftworks
39. Mitchell Wimbish – NYC Department of Environmental Protection

C. COMMENTS AND RESPONSES ON THE DRAFT SCOPE OF WORK

Comment 1: The Notice violates CEQR because it was published in The City Record only twenty-nine (29) days prior to the scheduled Scoping Meeting, one (1) day short of the minimum period of notice required under CEQR. DCP must re-notice the Scoping Meeting because CEQR requires a lead agency to literally comply with its procedural requirements. While DCP may wish to treat this procedural infirmity as harmless error, case law recognizes no such exception. [10]

Response: The Notice does not violate CEQR. DCP provided 30 days public notice, publishing the notice for 30 days from and including the date of publication in The City Record. There was much advance notice of the proposal outside of and long before the official scoping process, providing broad awareness to potentially affected parties. The Mayor publicly announced the intent to create a restriction in November 2015; DCP reached out directly to the self-storage industry in December 2015 and again in December 2016; all Borough Presidents were briefed in January or February 2017 and IBZ service providers were briefed on the proposal January 25 2017. The proposal has been widely reported in the press and in self-storage industry trade association publications, such as *City Restrictions Against Self-Storage Development Create New Barriers to Entry*, included in the Inside Self-Storage newsletter and posted online on January 26th 2017; and *Special permits for self-storage in IBZs*, posted on the Queens Chronicle website on March 9th 2017. Members of the industry engaged with prior to scoping, and all community boards, were specifically notified of the release of the Draft Scope of Work and the date, time and location of the Scoping Meeting by email or mail from DCP. Moreover, no new issues have been raised regarding concerns beyond those identified at the scoping hearing.

Comment 2: The Draft Scope contains incorrect methodologies and incomplete assumptions, fails to identify important areas of potential impact, and inadequately analyzes alternatives to the Text Amendment. As a result, the public cannot currently meaningfully comment on the Draft Scope in its current form. [10, 22]

Response: The Environmental Assessment, Draft Scope of Work, Final Scope of Work, and Draft Environmental Impact Statement follow *CEQR Technical Manual* guidelines. While impossible to predict the future, an analysis framework was developed to best analyze the Reasonable Worst Case Development Scenario. Based on public comments, additional work was completed and included in the Draft Environmental Impact Statement. This work includes, a more robust Analysis Framework, an Alternatives Chapter, and a Project Description which includes the needs of businesses and the study of Department of Finance Data. A chapter disclosing Unavoidable Adverse Impacts was also included.

Comment 3: A revised Draft Scope is necessary to analyze alternatives that will enable DCP to both achieve its goal to increase future siting opportunities for industrial, more job-intensive businesses in IBZs while concurrently avoiding or reducing the adverse impacts of the Text Amendment. [10, 22]

Response: Thank you for your comment. Based on public comments and analysis of potential impacts in the DEIS, additional alternatives have been included in the Final Scope of Work and analyzed in the DEIS.

Comment 4: There has been no planning study or other framework document that concludes self-storage has any effect on siting of industrial uses. The DEIS should provide data supporting the assertions underlying the Proposed Action. Such data should, at minimum, include: historical land use changes in non-industrial uses in IBZs; vacant land and industrial vacancy data; changes in land value in IBZs; market conditions; and a quantification of the assertion underlying the special permit findings: that sites near truck routes, highways and transit play an outsized role in the siting of job-intensive industrial uses. Further, the DSOW has failed to establish what the actual space needs - in lot area and building square footage - are for its "lost opportunity" industrial uses. [11, 15]

Response: The DEIS includes a description of the characteristics of the existing industrial properties within the IBZs as well as summaries of preliminary findings from ongoing NYC DCP studies on the needs and siting challenges of industrial businesses.

It should be noted that the proposal derives from the Mayor's November 2015 Industrial Action Plan that identified the City's IBZs as the locations to direct policy that supports the growth manufacturing, construction, wholesale, transportation, and repair sectors. That plan specifically identified self-storage, which primarily serves residents and provides little direct employment, as a use that is inconsistent with the City's vision to maintain the IBZs employment districts and the loci of industrial activity. A 2016 study the NYC DCP entitled "Employment in New York City's Manufacturing Districts" demonstrated that there is growth in these sectors within the IBZs, and that the IBZs remain the city's most active industrial areas. The predominant uses in IBZs are also gaining employment in M zones citywide: wholesale trade, construction, and transportation. These industries tend to site

in facilities located on large, horizontally configured sites accessible to highways and truck routes. Self-storage facilities in IBZs tend to be located disproportionately on sites that are best suited to accommodating these businesses – large, M zoned sites along truck routes and among similar types of businesses.

Furthermore, the DEIS includes an analysis of NYC Department of Finance Detailed Annual Sales data. In studying transactions of industrial properties in M districts between 2010 and 2016, it is clear that the number of transactions, the volume of land that changed hands, as well as the price of land on a per square foot basis, all increased. DCP also studied large industrial properties in M districts that were sold multiple times between 2010 and 2016. 30 properties sold twice within that time span, and three properties sold three times. On average, the nominal price increase between a first and a second sale amounted to 113%, meaning that average nominal prices more than doubled for the same property between 2010 and 2016. On a monthly basis, the average value of these 33 properties increased by a nominal 10 percent. These average increases in land prices are very high and the Department of City Planning sees such upward trends in land prices as an expression of scarcity: Only an increased demand for large, industrial lots in M districts could result in such dramatic price increases over a short time period.

Comment 5: According to the most recent 2016 “CoStar Industrial Statistics for New York Outer Borough Industrial Market* every quarter of 2016 had a negative absorption of industrial space (meaning there is not demand for the space). In fact, since 2017 there have only been 3 years where there has been a net positive absorption of industrial space. The other significant fact from the report is that rents have doubled from \$11.56 to almost \$19.41 psf. This rise in rents is prohibitive for manufacturing and industrial companies to successfully operate. Therefore they are moving to New Jersey and other areas outside of the New York area. Nothing in this Proposed Action will do anything about that. [36]

Sites redeveloped for self-storage are former manufacturers who chose to leave the city because of high operating costs. The buildings had code violations and were sometimes unoccupied for years. [24]

Response: There has been employment growth of industrial businesses within the IBZs since 2010. While businesses do often cite high rents and operating costs as a reason for leaving the city, for many similar industrial businesses proximity to New York City outweighs the higher costs of doing business here. The DEIS includes describes description of the characteristics of the existing industrial properties within the IBZs as well as summaries of preliminary findings from ongoing NYCDCP studies on the needs and siting challenges of industrial businesses. As described in the Purpose and Need chapter of the DEIS, the proposal is intended to maintain suitable siting opportunities for these businesses.

Comment 6: In our collective staff experience acquiring and developing sites for more than 12 years, we have never displaced or competed with manufacturing uses on the sites that we develop. [20, 21]

Response: Comment noted.

Comment 7: The rationale for the proposal is flawed, because it doesn't consider the number of jobs indirectly supported by self-storage. Self-storage is a “low-job generating use” is an erroneous claim. A self-storage operator may not directly employ large numbers of people, the facilities act as incubators for the businesses that rely on self-storage. Self-storage actually supports many jobs. [11, 15, 20, 21, 26, 30, 36]

Response: The DEIS notes that on average, according to industry sources, 30 percent of self-storage customers are businesses, so the majority of customers are households. Numbers stated at the scoping hearing reflect this.

Information about the customers of the self-storage industry is proprietary and not available to the Department. Similarly, information about the number of employees working at businesses that rely on self-storage is also information that the Department has no reliable means of collecting. Assumptions about the indirect employment supported by self-storage facilities are highly speculative and even if a reliable method for estimating the indirect employment could be established, there would be no way of ensuring that self-storage would continue to support these businesses over time.

While the DEIS concludes that the Proposed Action would limit future self-storage options for businesses and could lead to rising rental costs for self-storage users, the Proposed Action is, on balance, expected to support needs of businesses. Based on publicly available information, the Department is not aware of any specific industry that depends on self-storage, and DCP has no evidence that any specific category of businesses relies disproportionately on the services provided by self-storage.

It should be noted that the proposal will continue to allow existing self-storage facilities to operate and for new facilities to locate as-of-right within C8 districts and manufacturing zones outside of Designated Areas in M Districts, as well as on appropriate sites within IBZs by Special Permit.

Comment 8: The Text Amendment will impact the entire region's self-storage industry, including, but not limited to, developers, lenders, owners, operators and consumers.

The Text Amendment will have a negative impact on the self-storage industry. NYC is already the most underserved market nationwide. [10, 11, 12, 15, 22, 37, 28, 23, 36]

Response: Comment noted. The effects of the Proposed Action are evaluated in the DEIS.

Comment 9: The Draft Scope of Work affirms that the Proposed Action will fail to meet its own stated purpose and need: to limit the growth of self-storage in IBZs, thereby supposedly facilitating the growth of more job-intensive industrial uses. One must question the wisdom of an action that eliminates as-of-right self-storage on over 10,000 acres of land in New York City, yet results in only nine fewer self-storage facilities on that land over a 10-year period. [10, 11, 15, 22, 36]

Response: The commenter is incorrect. The goal of the Proposed Action is not to reduce the number of self-storage facilities, but to ensure that self-storage is sited appropriately and not in a

manner that conflicts with the City's economic development policies for Industrial Business Zones. The Action would establish a framework to conduct a case-by-case, site-specific review process to ensure that the development of self-storage facilities does not occur on sites that should remain available to more job-intensive industrial uses. A case-by-case framework would allow self-storage facilities to locate in Designated Areas in M districts on sites where self-storage facilities are found to be appropriate.

Comment 10: Many vacant, dilapidated and often dangerous sites will remain undeveloped eyesores providing no value to the community. Many sites are a challenge to develop due to location, environmental contamination, poor soil conditions, structural concerns, etc.

Many of the buildings with conversion potential from typical warehouse /manufacturing or industrial use to self-storage serves a greater need for the preservation of existing buildings throughout New York. These buildings have been turn of the century in age for many have difficulty in meeting todays more modern manufacturing space needs. Most often these building have very close structure with large diameter reinforced column concrete spacing and deep beams. Many have been cold with no or little climate controlled. Most are non-sprinklered and have no fire alarm systems throughout. [12, 20, 21, 37, 28, 24, 27]

Response: The purpose and need of this Action is to maintain better siting opportunities for existing and new industrial uses. As described in the DEIS, rising industrial rents, low vacancy rates, and recent industrial job growth is expected to continue to drive demand for industrial uses.

Comment 11: The Action will hurt small businesses, low income and minority owned. Tens of thousands of small business owners, who cannot afford larger warehouse spaces, rely on self-storage as a critical component of their business operations. These small businesses, which are engines for job growth in the City, would face reduced availability of storage, higher prices, and would be at significant risk of displacement. The commercial tenants (50% of all the tenants in the facility) of the storage facility are small companies that are in the freight and logistics business and also want to be on convenient truck routes, close to reliable transportation, accessible off street loading and unloading, and secure storage. This will hurt new start-up businesses. Will hurt e-commerce based home and small businesses. [11, 15, 28, 30, 24, 33, 32, 38, 27, 36]

Response: While the DEIS concludes that the Proposed Action would limit future self-storage options for businesses and could lead to rising rental costs for self-storage users, the Proposed Action is, on balance, expected to support needs of businesses. The Department has not found any way to independently or reliably verify the amount, type, needs, income, corporate structure, minority status or nature of commercial tenants in self-storage facilities.

Based on publicly available information, the Department is not aware of any specific industry that depends on self-storage and DCP has no evidence that any specific category of businesses relies disproportionately on the services provided by self-storage.

It should be noted that the proposal will continue to allow existing self-storage facilities to operate and for new facilities to locate as-of-right within C8 districts and manufacturing zones outside of Designated Areas in M Districts, as well as on appropriate sites within IBZs by Special Permit.

Comment 12: The proposal will make it more difficult to attract new businesses to Queens, including manufacturers. [28]

Response: As described in the DEIS, existing self-storage will continue to operate and new facilities may continue to site in Manufacturing zones and C8 districts in Queens including appropriate locations in Designated Areas in M districts and will continue to serve businesses and households, as long as demand exists. See also response to comment 7.

Comment 13: Rigor and accuracy of this analysis is undercut by the fact that nowhere does the DSOW identify how a self-storage facility is defined. As such, the very subject of the action has not been determined in the scope, much less defined to the degree of precision needed to specifically identify the locations of existing facilities and project where facilities may locate in the future with and without the Proposed Action. The DSOW and RWCDs provide no information as to how existing facilities have been identified, how mixed buildings containing some self-storage and some other uses are treated, and how certain warehouses or moving/storage offices that may not "advertise" themselves as self-storage would fall into such to-be-determined definition-have been treated in the RWCDs. To complete a RWCDs without defining a self-storage facility is akin to scoping a rezoning action without identifying the maximum FAR and permitted uses. Furthermore, with no defined subject of the action, how can current or prospective owners, developers, or tenants of UG 16D uses determine if this action has any effect on them? [11]

Response: The draft proposed zoning definition was added to the Department's website on March 14th 2017, about two weeks before the Scoping Meeting. More importantly, self-storage is categorized in the North American Industry Classification System (NAICS) and the industry has active trade associations. The DSOW and Environmental Assessment Statement provide a detailed description of self-storage that is based on a commonly understood product and widely accepted industry definition.

DCP's database of self-storage facilities in NYC was compiled based on readily available data using DCP's PLUTO database, which includes DOF Building Classifications, DOB Building Permit applications, and additional desktop research completed by DCP. The sources were generally described in the DSOW, and the potential for minor data inaccuracies or incompleteness was admitted. DCP used these sources for a general indication of self-storage development trends, since there were no other, more reliable sources. Furthermore, as already described in the DSOW, it is not the intent of the Proposed Action to limit the as-of-right development of commercial warehouses or moving and storage businesses that do not operate under a self-storage model.

A definition of self-storage as a use is included in the proposed zoning text amendment and may be revised in response to public comment as part of the standard land use review process. Any changes would be analyzed according to standard CEQR methodologies outlined in the CEQR Technical Manual.

Comment 14: A defensibly conservative RWCDs cannot assess a With-Action Condition that assumes applicants obtain discretionary relief and must assume special permits pursuant to the Proposed Action are not granted. This proposal is essentially a ban, no developer will apply for a CPC Special Permit.

One way in which the RWCDs artificially minimizes the effects of the action is to assume that every year, one applicant would successfully obtain discretionary approval of a special permit to build a self-storage facility in M-Designated Areas. The DSOW does not provide a sound basis for this conclusion.

The With-Action Condition assumes that past application trends of a Special Permit, similar to the Proposed Action, would be used as a reference. The reference used is the existing City Planning Commission (CPC) Special Permit for large retail stores in certain M districts. Though analysis indicates that for the 10-year timeframe, between 2007 and the end of 2016, fewer than 10 such special permit applications were granted. It is possible that permits were not granted in the Designated Areas, therefore, this might not be a valid RWCDs to assume. [9, 11, 15, 36, 20, 21, 25]

Response: The retail special permits provide a good case study of the potential future use since the additional costs and time associated with the approvals could be expected to be similar or greater, given the complexity of environmental reviews for large retail developments. An assessment of the usage of the retail special permit reveals that there is approximately one per year. As described in testimony at the scoping hearing and published in industry reports, the self-storage industry in New York City is growing rapidly and highly profitable. Since these growth prospects for the sector are even better than for retail, the estimate of one Special Permit per year is sufficiently conservative.

Comment 15: The DEIS must include a detailed analysis of how many viable sites will exist for the as-of-right siting of self-storage facilities subsequent to the action. DEIS must present a substantial analysis that shows the number and availability of development sites outside of the M-Designated Areas subsequent to the action will not be significantly impacted. The DEIS must properly analyze how much of the land that will be zoned to allow self-storage subsequent to the Proposed Action could or would never be developed for self-storage.

- Unbuildable land - streets, parks, playgrounds or open space.
- Publicly-owned land - properties owned by the city, state, federal governments, public authorities, and public utilities. At a minimum, those properties that cannot reasonable be redeveloped without discretionary approvals or within the timeframe of the proposed analysis period, such as rail yards, wastewater treatment plants, utility substations, landfills, etc.

- Rezoned areas - currently DCP is considering or proposing rezoning actions throughout the five boroughs that would eliminate self-storage as a permitted use.
- Physically infeasible development sites - the scope indicates self-storage facilities have, in the past, been built on lots with an average size of 49,500 sf. How much land will meet this criterion subsequent to the Proposed Action? How much land cannot accommodate self-storage development because it is comprised of small or irregular lots, or made up of fully-developed parcels?
- Infeasible market development sites - areas that have strong market conditions, such as SoHo/NoHo in Manhattan, or where residential use is permitted, such as MI-6 districts in Hudson Square or MX districts.

The study needs to recognize ongoing land use studies that might reduce the quantity of such acreage. In addition, certain land use change might entice property owners to displace existing self-storage tenants for higher earning uses pursuant to rezoning. Such areas include the northern section of the Gowanus Neighborhood Planning Study in Brooklyn Community District 6 (CD 6), blocks in Brooklyn Community District 8 (CD 8) according to the resolution adopted by Brooklyn Community Board 8 (CB 8) known as M-Crown, and blocks along Empire Boulevard in Brooklyn Community District 9 (CD 9) and Utica Avenue in both CD 8 and Brooklyn Community District 17 (CD 17) as part of community desired preservation-based rezoning initiatives as areas that might be identified to promote residential development according to the Mandatory Inclusionary Housing (MIH) program. [11, 36, 15, 9]

Response: Per CEQR, "generic actions are programs or plans that have wide application or affect the range of future alternative policies. Usually they actions affect the entire city or an area so large that site-specific descriptions is not appropriate. Examples of generic actions undertaken in the city include text changes to the zoning resolution that may affect a wide area."

In order to provide a generic, "order of magnitude" assessment of the effects on siting of self-storage, the DEIS considers the total area of land where self-storage will continue to be allowed, and removes the estimated area occupied by streets, parks, playgrounds, open space, publicly owned land, rail infrastructure, utilities and some areas in Manhattan. An inventory of irregularly configured sites is not necessary for a generic assessment, since M district bulk regulations are flexible, development of a typical self-storage building remains feasible in many cases and in fact, several self-storage facilities have been built on irregular lots.

Announced rezoning plans with known effects on the siting of self-storage are considered and removed from the potential future universe of self-storage siting options, if applicable. The planning studies mentioned above are currently in the planning phase. No decision has been made to move forward with land use changes and the potential effect of the proposals on the siting of self-storage is unknown. The analysis will be modified pursuant to standard CEQR methodologies if there are publicly announced decisions to move forward with these, or any other, rezoning actions.

DCP also expects that increased demand for self-storage may lead to redevelopment of what today would be considered suboptimal sites, as we see with many other highly profitable developments, such as residential.

Comment 16: Over the last three (3) years the number of self-storage developments has increased significantly, and a larger portion of these development projects are in IBZs. There is clear logic to this trend that the RWCDs dismisses: most of the viable sites outside of IBZs have already been built upon, and the majority of the remaining sites are in IBZs. [11, 15, 37]

Response: The effects of the Proposed Action are analyzed in the DEIS. While the DEIS does not support the commenter's perspective, it should be noted that the determination of the potential for significant impacts would not be affected, were the industry more dependent than the analysis concludes on siting opportunities in Designated Areas in M districts.

Comment 17: Analysis based on the number of facilities only makes practical sense when facilities are generally of standard size. There are significant variations of sizes of such facilities, therefore, the analysis should be based on the actual floor area of these establishments. [9]

Response: Based on patterns of recent self-storage development, siting decisions of self-storage developments are driven mostly by availability of sites large enough to accommodate off-street loading, lobby space, and freight elevators for multi-story developments. Consequently, it is rare that newly constructed facilities locate on sites smaller than 16,000 SF, according to an analysis of DCP's self-storage database. The significant variation in the size of recently developed self-storage is driven more by permitted FAR in the underlying zoning district than it is by the size of the zoning lot since the pattern of development shows that these facilities locate opportunistically on large sites along truck routes or near arterial highways. Therefore, zoning lot size, not FAR, is the more relevant consideration in the assessment of the potential effects of the proposal on future siting opportunities for self-storage.

Comment 18: A revised Draft Scope should identify and specify how DCP intends to assess impacts on environmental justice communities in EJ Areas which already shoulder the outsized burdens of environmental impact in New York City. [10]

Response: Environmental justice analysis is outside of the scope of the *CEQR Technical Manual*.

Comment 19: The DSOW needs to include an assessment of the impact of the Text Amendment on self-storage pricing and capacity and the potential adverse impact on New York City small businesses. Such an impact is not wholly fiscal, but rather has the potential to alter community character in neighborhoods characterized by small businesses that rely on self-storage as a cost effective storage option. Small businesses, including industrial and commercial businesses and minority- and women-owned business, use self-storage as an essential part of their enterprise. The DEIS must provide a specific quantified analysis of price increases at self-storage facilities inside and outside the M-Designated Areas and the effects on the ability of small business to continue to operate. The overall operating costs for businesses also includes the cost of fuel, tolls, and time lost if they were forced to use

self-storage facilities that are further away. Warehousing is a far more expensive, inflexible and logistically complicated option for many businesses. The “on-demand storage” model is not cost effective nor viable for the 67 percent of self-storage business customers that visit their local self-storage unit on a daily or weekly basis. Valet storage businesses target a different audience possessing different needs. [10, 11, 15, 28, 9, 20, 22, 32, 33]

Response: The *CEQR Technical Manual* does not require quantifying the increase in the price of services that may result from the Proposed Action. While the proposal would limit future self-storage options for businesses and could lead to rising rental costs for self-storage users, the proposal is, on balance, expected to support needs of businesses.

It should be noted that the proposal will continue to allow existing self-storage facilities to operate and for new facilities to locate as-of-right within C8 districts and manufacturing zones outside of Designated Areas in M districts, as well as on appropriate sites within Designated Areas in M districts. Neighborhood character will be assessed per *CEQR Technical Manual* guidelines.

Please see also response to Comment 7.

Comment 20: The demand side of the storage issue is an important one and is not reflected in the scoping document. Fully one third of our tenants in urban areas are made up of Baby Boomers and the Greatest Generation, soldiers or students. Single parent households and families in transition. Individuals will also be inconvenienced by placing these facilities nowhere near public transportation and this is not addressed anywhere.

Socioeconomic Conditions analysis should include Indirect Residential Displacement analysis. This section should consider the extent, if any, that a reduction in the growth of the self-storage industry might lead to an increase of rental fees in the With-Action analysis as compared to the No-Action analysis. Such increase in fees should be considered in the context of the extent to which it would increase the degree of rent-burdened status for households that are dependent on self-storage facilities to manage possessions that are not reasonably accommodated in apartment dwellings. [13, 36, 20, 21, 9]

Response: The DEIS concludes that the Proposed Action may cause the price of storing household goods to increase and people may travel further or look for other storage options. The *CEQR Technical Manual* does not require quantifying the increase in the price of services that may result from the Proposed Action. However, maintaining and growing diverse employment opportunities in industrial areas and siting more job-dense activities near transit is an important trade-off that benefits many diverse segments of the city's population. The DEIS also notes that as demand for personal storage continues to grow, more residential developments may include accessory private storage within buildings, providing more opportunities storage closer to residents. Growing segments of the market -- such as on-demand storage -- could continue to serve these populations as well.

Comment 21: A shift in self-storage development to other M and C8 zones will result in traffic impacts. This additional traffic generation to inconvenient locations and increased traffic on smaller streets and not adjacent to highways has not been adequately addressed by the

EAS at all. The adoption of this Text Amendment will "prohibit" self-storage use in the designated area causing facilities to be built in perimeter locations away from arterials and highways causing small street congestion and neighborhood disturbance. [36]

Response: The prototypical analysis in the DEIS considers the potential for traffic impacts.

Comment 22: The DEIS must provide a quantitative analysis of not merely the number of jobs directly generated by self-storage uses, but also of the number of jobs indirectly supported by self-storage. Specifically, how many jobs at how many businesses rely on convenient and affordable access to self-storage? This figure must be compared with the number of jobs that would be generated by the uses the RWCDs concludes would be most likely to replace self-storage. [11, 15, 36]

Response: Information about the customers of the self-storage industry is proprietary and not available to the Department. Similarly, information about the number of employees working at businesses that rely on self-storage is also information that the Department has no reliable means of collecting. Assumptions about the indirect employment supported by self-storage facilities are highly speculative and even if a reliable method for estimating the indirect employment could be established, there would be no way of ensuring that self-storage would continue to support these businesses over time. The DEIS includes a qualitative description of the broad range of businesses likely to occupy sites in the Designated Areas in the Future With the Action that in the No-Action condition would be self-storage.

Comment 23: In identifying the uses that will be assumed as replacement uses for self-storage, this proposal treats all IBZs and all sites within IBZs as exactly the same, when they are all different. North Brooklyn's IBZs are different than those in Eastchester, Jamaica or East New York. Industry trends, further, also vary widely depending on the borough, the surrounding community, the highway and road network and other considerations. The DSOW indicates that the Proposed Action will be analyzed as a "generic action" since it is "difficult to project the universe of sites where development would be affected by the Proposed Action." First, whether or not analysis is difficult is not a determining factor in the level of environmental review conducted pursuant to CEQR. Second, though the Proposed Action is a citywide text amendment, the Proposed Action's geographic scope is narrowly defined. the RWCDs assumes that the Proposed Action would result in a change in land use on a mere total of between five and 14 sites within M-Designated Areas (depending on whether the nine special permits assumed to be granted to self-storage facilities in M-Designated Areas would result in a change of siting or merely codify a previously-targeted site).

Whether the number is five, 14 or a larger number that we believe would more accurately represent the Proposed Action's effects on self-storage siting, DCP should conduct a quantified analysis on a site-specific basis in each Designated Area. Each of the 21 existing IBZs across the four boroughs that are subject to the Proposed Action represent different land use and market conditions. The DSOW already identifies criteria and potential development sites within the proposed M-Designated Areas where DCP believes self-storage would be appropriate and feasible. Based on the DSOW's preliminary siting criteria,

it would be fairly easy for DCP to identify specific sites that it believes self-storage would be reasonably precluded and where other land uses would locate. [10, 11, 15, 20, 21, 22]

Response: The Proposed Action is analyzed as a generic action per *CEQR Technical Manual* guidelines. Per CEQR, "generic actions are programs or plans that have wide application or affect the range of future alternative policies. Usually these actions affect the entire city or an area so large that site-specific descriptions is not appropriate. Examples of generic actions undertaken in the city include text changes to the zoning resolution that may affect a wide area."

A representative examples analysis is adequate, since the Department of City Planning cannot predict with certainty the kinds of businesses that may occupy a given site within the Designated Areas, where self-storage would no longer be permitted as-of-right. Although the Designated Areas in M districts are NYC's most active industrial areas, they cover many different neighborhoods in New York City that differ in their real estate market conditions and development trends. A quantitative analysis would require DCP to engage in multiple levels of assumptions: First, to project potential future self-storage sites, when the number of sites that meet "soft site" criteria lies in the thousands, and then to hypothesize the nature of the development that could occur instead of the projected potential self-storage facility, when a very large array of uses are permitted as-of-right in the Designated Areas in M districts. As such, a projection of specific development sites would be unduly speculative and not required by *CEQR Technical Manual* guidelines.

Comment 24: There is no identification of what uses will actually be assumed as replacement uses for self-storage. The Draft Scope is devoid of any specific identification of what manufacturing uses will be studied; rather it only states that "representative examples will be developed". What these representative examples will be and what data will be used to define recent industry trends is not explained. The DSOW provides no rationale for its conclusion that industrial uses would be the most plausible developments for these sites. Without more thorough analysis of land use trends and consideration of the most prominent non-industrial sectors in IBZs, the appropriateness of these industrial uses as the foundation of the RWCDs has not been established. The plausibility of industrial uses is also questionable given that industrial and non-industrial jobs have been growing at the same rate in IBZs in recent years and that some of the largest growth in non-industrial sectors are uses, such as hotels, bars, restaurants, nightlife, retail and office, which would still be permitted as of right under the Proposed Action.

The RWCDs must study a wide range of possible uses that would replace self-storage, and the attendant range of potential significant adverse impact each of those use types may trigger. The DEIS must also analyze the potential indirect displacement effects of these other (non-self-storage) uses like hotels, restaurants, bars, retail and offices, which would be much more likely to be sited on these newly "available" sites rather than industrial uses which cannot compete with these uses that would still be allowed as of right with the Proposed Action.

This analysis should be quantitative and conducted on a site-specific basis in each individual IBZ where DCP believes this action will have its intended effect. [10,11, 15, 22, 30]

Response: Based on this comment and further analysis of Department of Building's permit data, representative examples included a range of development typical of recent as-of-right development in Designated Areas in M districts, including non-industrial development. While certain non-industrial developments could continue to be developed on some sites suitable for self-storage, these uses also directly support a significant number of jobs and are consistent with the proposal's purpose and need. However, as shown by the analysis of DOB permits issued, industrial uses are seen as the primary competitors for large sites in Designated Areas in M districts and it is expected that the proposal will enable some existing industrial businesses to remain in place, or new industrial businesses to open. Many other permitted as-of-right commercial uses do not directly compete for the same large sites as self-storage. For instance, hotels, which are among the more common types of new construction within Designated Areas in M districts, tend to locate on smaller sites and in locations away from truck routes and highways. This is confirmed by an analysis of DOB Permit data for new construction between 2010 and the end of 2016 in Designated Areas in M districts, which shows that only 3 out of 21 new hotels were developed on sites larger than 20,000 SF. The market for new office developments, while requiring large sites, is not currently viable in almost all Designated Areas in M districts and is rare due to low FARs and high parking requirements in most of these areas. Future viable office development within Designated Areas in M districts, assuming a market emerges, would likely require future discretionary actions such as increases in FAR or reductions in required parking. Furthermore, zoning already places size limitations on some categories of retail, and bars and restaurants, which have been siting with greater frequency in Designated Areas in M districts, also tend to locate on smaller sites. The DEIS provides examples of the broad range of uses represented by recent development in Designated Areas in M districts.

This DEIS considers the type and location of new development and the placement or retention of businesses, by means of representative examples. This approach was the most appropriate given the myriad of potential scenarios, which exist in Designated Areas in M-Districts in the With-Action Condition. No technical analysis is planned for these representative examples as there is a high level of uncertainty surrounding any potential development in the With-Action condition, which would render any analysis of projected uses and their impacts meaningless. It is reasonable for the Department of City Planning to point to representative examples; however, conducting detailed technical analyses would be highly speculative.

Please see also response to Comment 23.

Comment 25: DCP should utilize the most intense industrial uses (such as a waste transfer station), so that the public can comment on what would be the reasonable worst case scenario resulting from the Text Amendment. [10, 22]

Response: The representative examples took into consideration the likely future development on sites that would be occupied by self-storage in the no-action. The siting of waste transfer

facilities is highly regulated by DSNY, which has criteria and a process for locating new facilities. The action is not expected to result in more waste transfer facilities.

The intent of the Proposed Action is to maintain suitable future siting opportunities for existing and new industrial uses, but it is not expected to significantly affect the amount or type of industrial development that would occur in Designated Areas in M districts absent the Proposed Action. In the No-Action, it is expected that some of the more traffic-intensive uses, such as transportation and distribution, would locate on smaller sites without off-street loading, potentially closer to residential populations. In the future with the action, it is expected that more of these uses would instead locate on sites that would have been developed with mini-storage. These larger sites, located closer to truck to routes, could better accommodate off-street loading and parking for industrial businesses. This is consistent with common principles of good planning and would likely result in net reductions in traffic since there would be fewer conflicts and congestion related to on-street loading and vehicle queuing and less traffic directed through local streets, away from truck routes and highways.

Comment 26: By creating an analysis framework that utilizes the last ten (10) years, the Draft Scope minimizes the number of potential sites that would be prime locations for self-storage use, but will potentially be occupied by more intense industrial uses following the Text Amendment. [10, 22]

Response: A ten-year analysis frame is typical of environmental review and is representative of effects that can reasonably be anticipated in the foreseeable future. The intent of the Proposed Action is to maintain suitable future siting opportunities for existing and new industrial uses, but it is not expected to significantly affect the amount or type of industrial development that would occur in Designated Areas in M districts absent the Proposed Action. In the No-Action, it is expected that some of the more traffic-intensive uses, such as transportation and distribution, would locate on smaller sites without off-street loading, potentially closer to residential populations. In the Future With- Action, it is expected that more of these uses would instead locate on sites that would have been developed with mini-storage. These larger sites, located closer to truck to routes, could better accommodate off-street loading and parking for industrial businesses. This is consistent with common principles of good planning and would likely result in net reductions in traffic since there would be fewer conflicts and congestion related to on-street loading and vehicle queuing and less traffic directed through local streets, away from truck routes and highways.

Please see also Response to Comment 23.

Comment 27: Draft Scope must be revised to account for the potential indirect business and institutional displacement. Non-self-storage industrial uses located within Designated Areas that would be adversely impacted by the introduction of more intense, environmentally impactful industrial uses. [10, 22]

Response: The Proposed Action is not in itself expected to induce development. Numerous factors influence the kind of uses that are developed in any given area, which remain beyond the

scope of the Proposed Action, and which the Department of City Planning has no control over. These include real estate markets, business conditions within a particular industry, the obtaining of financing, the adequacy of transportation and other infrastructure, the circumstances of individual businesses and other factors. Although not a direct effect of the action, the occurrence of development on sites can never be excluded. Sites that may have become self-storage facilities in the No-Action Condition, in the With-Action Condition may be developed for another use instead. Alternatively, an existing use may be more likely to remain in a location that would be redeveloped with self-storage in the No-Action.

While DCP expects industrial uses to either remain in place or be developed in Designated Areas, based on the fact the proposed Designated Areas in M districts are NYC's most active industrial areas and that the majority of new building permits issued by the DOB are for industrial uses, certain non-industrial developments could continue to be developed on some sites suitable for self-storage. The DEIS includes an analysis of representative examples. This approach was the most appropriate given the myriad of potential scenarios, which exist in Designated Areas in M-Districts in the With-Action Condition.

Please see also responses to Comments 23, 24, 25 and 26.

Comment 28: More industrial uses in IBZs will introduce more environmentally impactful uses to residential areas that are in the immediate vicinity of the Designated Areas. [10, 22]

Response: The intent of the Proposed Action is to maintain suitable future siting opportunities for existing and new industrial uses, but it is not expected to significantly affect the amount or type of industrial development that would occur in Designated Areas in M districts absent the Proposed Action. The proposed text amendment would allow for the siting of more job-intensive industrial businesses in locations where there are public policies to support them and where there are generally fewer conflicting commercial or residential uses.

The representative examples take into consideration the likely future development on sites that could potentially be occupied by self-storage in the No-Action. In the No-Action, it is expected that some of the more traffic-intensive uses, such as transportation and distribution, would locate on smaller sites without off-street loading, potentially closer to residential populations. In the Future With-Action Condition, it is expected that more of these uses would instead locate on sites that would have been developed with self-storage. These larger sites, located closer to truck routes, could better accommodate off-street loading and parking for industrial businesses. This is consistent with the purposes of manufacturing zones and principles of good land use planning.

Please see response to Comment 24.

Comment 29: The DSOW needs to consider that residential population and business community are growing, and so demand for self-storage is growing. [28, 20, 21]

Response: As noted in the DEIS, the Proposed Action will continue to allow existing self-storage facilities to operate and for new facilities to locate as-of-right within C8 districts and

manufacturing zones outside of Designated Areas in M districts, as well as on appropriate sites within Designated Areas in M districts.

Comment 30: The Special Permit as proposed focuses on whether the zoning lot is appropriate for other industrial uses. And these are industrial uses that the self-storage industry has no knowledge of. Findings are very vague and open to multiple interpretations. [25]

Response: Comment noted. Applicants for discretionary land use actions typically employ professionals who are able to address Special Permit findings.

Comment 31: The findings of the Special Permit are not stringent enough. Our concern lies with the factors that will shape the required findings for granting a special permit to develop a self-storage facility in a "Designated Area" in an M district. The City Planning Commission will be empowered to grant special permits to applicants when the site in question is not optimal for "modern-day" industrial uses. In other words, if a site is deemed "optimal," a special permit for self-storage won't be granted. "Optimal" is the wrong standard. The list of criteria for characterizing a site as optimal is long and difficult to meet. It includes lot size; the design and arrangement of the site; proximity to highways, truck routes, and local streets that are configured so that truck traffic leads directly to the site; proximity to public transportation; a low potential for future industrial uses to conflict with other nearby uses; and minimal investment in nearby industrial uses. More appropriate criteria would be ones that demonstrate that the area is viable for industrial uses such as low vacancy rates in the area and rising land costs, two indicators of demand for industrial space. [18, 26, 19].

Response: The EAS and DSOW described the proposed Special Permit findings and illustrated their intention, by using the term "optimal". This phrasing was descriptive and does not correspond to the language of the proposed zoning text, which postulates as a finding that the industrial use of a lot or building would be "impractical".

The proposed Findings reflect the rationale driving the proposed Zoning Text Amendment. The Findings have been written to differentiate between sites, where industrial, more job-intensive uses would likely locate in the future, and sites that would prove unlikely or inadequate for future industrial business locations. While it is true that industrial businesses may in some instances operate i.e. on small lots, lots with inadequate truck access, or lots located in areas where there is a potential for land use conflicts with other uses, those are not the kind of sites the Department of City Planning sees as needing to remain available to industrial businesses in the future. Such locations represent the kind of sites where self-storage facilities may be appropriate, since they would not reasonably be detracting from future siting opportunities for more job-intensive industrial businesses.

Comment 33: The applicable area currently leaves out the 65th Street Rail yard and 2nd-3rd Avenue between 63rd and 65th St in Sunset Park. This area is part of the IBZ and should certainly be included in the proposal. [6]

It appears that the proposed Designated Area is not fully inclusive of the Southwest Brooklyn IBZ. The areas of the Southwest Brooklyn IBZ that appear to have been excluded are: the block bounded by 3rd Street, 3rd Avenue, the Gowanus Canal, and the 4th Street

Turning Basin, and a segment of 14th Street between 2nd and 3rd Avenues. IBZs represent the most active industrial areas in New York City, and the proposed “Designated Area” in the 39th Council District should be as inclusive of the Southwest Brooklyn IBZ as possible. [8]

Council land use staff has identified a number of geographies to DCP staff that require more careful discussions – portions of IBZs that have been left out as well blocks within core industrial areas that are not included. We look forward to discussing these areas more carefully but are concerned by predominately industrial blocks that are in the IBZ but not included in the scope of this zoning proposal. [1, 2, 3]

Need to include entirety of North Brooklyn IBZ. [4, 7, 34]

Response: Specific areas within IBZs that were identified to the NYCDCP have been incorporated into the proposed Designated Areas in M districts.

Comment 34: DCP must revise the Draft Scope to include a larger study area alternative, as members of the public, as well as elected officials, have asked DCP to increase the number of Designated Areas and/or expand the boundaries of the existing Designated Areas. [10, 22]

Response: Neither a revised Draft Scope nor a larger study area alternative are necessary, because the Proposed Action, as publicly announced by the Mayor and the City Council Speaker on November 3rd 2015, applies to all Industrial Business Zones. While at the time of the scoping meeting, draft Designated Areas in M districts were posted on the NYCDCP’s website, those were meant to generally represent the proposed Designated Areas in M districts, notwithstanding potential minor and unsubstantial changes to be based on oral and written comment submitted in response to the DSOW.

Comment 34: Just across the Bronx River from the Hunts Point IBZ is an area of M1 zoning that includes several large sites that have significant potential for industrial or perhaps other future types of development. Two large lots in this immediate area have already been developed as CubeSmarts in the past few years. The site I am most concerned about is the former "ABC Carpet" site at 1055 Bronx River Avenue. [5]

There are six blocks of industrial Red Hook between Van Brunt, Columbia Street, Seabring Street, and Verona Street that were for some reason not included within the IBZ despite being heavily industrial and home to numerous large sites and businesses. [6]

Response: The proposal is intended as part of the Mayor’s Industrial Action Plan, which specifically identifies the IBZs as the locations to advance land use policies supportive of industry. This area is outside of the current IBZ. Including it would be contrary to the proposal’s Purpose and Need.

Comment 35: Permit self-storage in certain commercial zoning districts. C4 commercial districts, for example, are commercial districts within which large, regional commercial establishments are permitted. [10, 22]

Response: The Department has not found that additional siting opportunities exist for self-storage in other commercial districts. The proposed Alternative is not considered consistent with the

Proposed Action's objectives, which are to create an appropriate land use framework for self-storage.

Comment 36: Alternative that either excludes certain smaller sites that would be unfit for large industrial operations. That excludes certain smaller and/or unsuitable sites that, but for their location within an IBZ, would be unsuitable for large industrial operations and thus should continue to permit self-storage use without a special permit. DCP should more specifically identify siting requirements for its targeted industrial uses (for both new development and conversion) in the DSOW and DEIS and limit the special permit to areas and sites that meet those requirements, while continuing to allow self-storage as-of-right elsewhere. The DEIS should analyze an alternative that more effectively tailors the regulatory framework to the underlying planning rationale. An as-of-right alternative should be considered in the Designated Areas where self-storage facilities might be permitted to occupy sites below a certain lot size, beyond a specified distance from arterial highways, designated truck routes, and bus and/or rail transit. [9, 10, 11, 15, 22, 25, 30]

Response: The DEIS includes an alternative that allows self-storage as-of-right in Designated M Areas on smaller sites.

Comment 41: Smaller study area alternative that either excludes certain portions of IBZs [10, 20, 21]

Response: The proposal is intended to support IBZs as industrial employment zones. Excluding certain IBZs would be inconsistent with the Purpose and Need.

Comment 42: Prohibit self-storage uses on the ground floor of a building (excluding a lobby) within the proposed Designated Areas. This concept of mixed-use has been used very successfully in places like Seattle and Portland.

Allow for a complementary, cohesive existence of manufacturing/commercial uses and their reliance on self-storage facilities. We suggest that DCP establish an exception to the requirement of the proposed special permit that will exempt proposed self-storage developments that also provide uses permitted in the underlying manufacturing district. [10, 12, 22, 30]

Response: The DEIS includes an alternative that analyzes the effect of allowing self-storage as-of-right in Designated Areas above the ground floor in buildings that include an industrial use on the ground floor.

Comment 43: With stated rationale, warehousing should also be subject to Special Permit, because it is not job-intense. Alternative should expand the scope of the text amendment to include warehouse uses. By excluding warehouses from the Special Permit, the proposal widens the viability gap between small businesses and large businesses. Limiting self-storage will make competition tilt in favor of large businesses. [10, 22]

Response: Subjecting other types of Use Group 16 D uses such as warehouses to the proposed Special Permit would be contradictory to the Purpose and Need of the Proposed Action. Other types of warehouses, commercial storage spaces and moving companies provide not only storage but other essential services, such as moving, distribution, logistics and/or supply

chain management services. Accordingly, warehouses generally tend to hire a greater number of employees per establishment. As stated in the EAS, employment data from the Quarterly Census of Employment and Wages, collected by the New York State Department of Labor, supports this: According to 2015 3rd quarter QCEW data, there were 386 Warehousing and Storage (NAICS code: 4931) and Used Household and Office Goods Moving (NAICS code: 48421) establishments in New York City. On average, each establishment employed 17.8 workers, more than 3.5 times the number for self-storage.

Comment 44: DCP should include an Alternative that permits the as-of-right enlargement of existing self-storage facilities above and beyond the current maximum permitted FAR in the proposed M-Designated Areas and other areas where the use is allowed as of right AND/OR allow as-of-right enlargement of nonconforming self-storage uses outside of the M-Designated Areas above and beyond the existing and current maximum permitted FAR. [11, 15]

Response: The DEIS analyses a reasonable range of alternatives that would result in reduced significant impacts, compared with the Proposed Action. This proposed Alternative would appear to present the potential for significant impacts with respect to neighborhood character and is not analyzed in the DEIS.

Comment 45: The text does not address whether existing self-storage facilities should benefit from the New York City Department of City Planning's (DCP) anticipated zoning amendments that might increase the allowable floor area in IBZs. There needs to be consideration of whether such added zoning rights might be leveraged as a marketplace inducement to return properties being used as self-storage facilities to a use consistent with the intent of IBZs. [9]

Response: Such a text amendment is not currently proposed. The Proposed Action does not waive a future property owner's right to pursue a zoning change or limit the powers of future Planning Commissioners or City Councilmembers to approve changes to zoning.

Comment 46: The proposal should include an outright prohibition of self-storage facilities in IBZs. [1, 2, 3].

Response: This comment reflects a potentially higher-impact alternative to the Proposed Action, which would increasingly impact the self-storage industry, by not including a discretionary approval process upon which self-storage development may be permitted. In the Department of City Planning's view, a ban would represent an unnecessarily restrictive measure. The Special Permit is a case-by-case framework that would still allow self-storage facilities to locate in Designated Areas in M districts on sites where self-storage facilities are found to be appropriate. While self-storage should not occupy sites in IBZs that could provide siting opportunities for industrial, more job intensive businesses, there is evidently a strong demand for storage in NYC. It is known self-storage can present a storage solution for both households and businesses, and as such, should be permitted either as-of-right or by Special Permit in some areas of NYC.

Comment 47 The RWCDs reaches the unsupported conclusion that the Proposed Action would result in the development of a mere five fewer self-storage facilities in New York City over the next

10 years (with just four more outside of the Proposed Designated Areas in M Districts ("M-Designated Areas") and nine fewer inside of the M-Designated Areas). As such, if one accepts the RWCDs as valid, then the scope of environmental review and its eventual conclusions have essentially already been determined: the Proposed Action would have very little quantified effect on development either inside or outside M-Designated Areas, and thus very moderate environmental impact. [11, 15]

Response: Comment noted.

Comment 48: In NYC, self-storage facilities are used by business owners and demand for space is at an all-time high. We strongly believe that convenient access to available, affordable self-storage facilities are necessary for the growth of small businesses, both commercial and industrial in nature. [12, 20, 21, 28]

Response: Comment noted.

Comment 49: Tens of thousands of small business owners, who cannot afford larger warehouse spaces, rely on self-storage as a critical component of their business operations. These small businesses, which are engines for job growth in the City, would face reduced availability of storage, higher prices, and would be at significant risk of displacement. Small businesses rely on local, easily accessible self-storage facilities for equipment, paperwork, and other items. Self-storage is a more affordable option than traditional warehouses. [10, 11, 12, 13, 14, 15, 20, 21, 22, 27, 28, 32, 33, 38]

Response: Comment noted.

Comment 50: I support the spirit of the self-storage special permit and its intentions to directly preserve important industrial space and IBZs and help combat a portion of speculative real estate pricing. However, I'd like to note that this is not the only use that should be limited in the zoning amendment, and I can only hope that this is just a start which will lead to including the limiting of other encroaching uses that negatively impact IBZs.

While restricting self-storage is a helpful first step in reforming manufacturing zoning, more action is needed to stanch the flow of real estate speculation and non-industrial commercial businesses into our IBZs. The greatest priority is the restriction on hotels, which being so similar to residential uses in their impact, are the most disruptive use currently allowed as-of-right in our M zones. The hotel special permit must be fast-tracked in order to preserve the integrity of our industrial zones for the industrial businesses that are so important to our economy. [4, 6, 7, 16, 29]

Response: Comment noted.

Comment 51: The Special Permit is a step towards the realization of the 10 Point Industrial Action Plan (2015) to grow 21st Century industrial and manufacturing jobs in NYC. [1, 2, 3, 5, 6, 7, 8, 16, 26, 31]

Response: Comment noted.

Comment 52: Self-storage facilities employ fewer people than a manufacturing business. Fewer than four employees work at each self-storage facility, whereas industrial and manufacturing uses generate one employee per 500 square feet. A 100,000 square foot self-storage facility may have five employees, whereas a manufacturing center would have upwards of 100. [1, 2, 3, 4, 5, 6, 7, 17, 18, 19, 35]

In the Flatlands/Fairfield IBZ, a storage facility occupies four times the space of the previous manufacturing/industrial businesses, but only employs 25%, on average, of the previous businesses. [31]

Industrial businesses provide middle-class jobs and present opportunities for minorities, immigrants, and those without a college degree to earn a living wage. [1, 2, 3, 5, 31, 34]

Response: Comment noted.

Comment 53: The Proposed Action does not prohibit the development of new self-storage facilities anywhere; it creates community oversight for new self-storage developments in specific industrial and manufacturing neighborhoods. The Proposed Action will have minimal impact on the projected development of new self-storage facilities over the next ten years. [16]

Response: Comment noted.

Comment 54: The Proposed Action establishes a solid foundation for much-needed broader use group reform. Particularly, there are incompatible uses that should be restricted within the very broad M-zone use groups. The special permit is a crucial step in ensuring that manufacturing zoned land continues to be used for this purpose. [16]

Response: Comment noted.

Comment 55: New York is not the first city to consider restricting self-storage development in order to retain siting opportunities for job-generating industrial uses. The three cities regarded as the “best practices” standard for industrial zoning – San Francisco, Chicago, and Portland, OR – all already restrict or are actively considering restrictions on self-storage in core industrial districts. [1, 2, 3]

Response: Comment noted.

Comment 56: DEP is unclear what is meant by a prototypical analysis in the case of Air Quality for this project. [39]

Response: Comment noted.

Comment 57: DCP must revise the Draft Scope to include a larger study area alternative, as members of the public, as well as elected officials, have asked DCP to increase the number of Designated Areas and/or expand the boundaries of the existing Designated Areas. [10, 22]

Response: Neither a revised Draft Scope nor a larger study area alternative are necessary, because the Proposed Action, as publicly announced by the Mayor and the City Council Speaker on November 3rd 2015, applies to all Industrial Business Zones. While at the time of the

scoping meeting, draft Designated Areas in M districts were posted on the NYCDPC's website, those were meant to generally represent the proposed Designated Areas in M districts, notwithstanding potential minor and unsubstantial changes to be based on oral and written comment submitted in response to the DSOW.