

Zoning for Coastal Flood Resiliency

Chapter 25: Growth-Inducing Aspects

A. INTRODUCTION

This chapter assesses the potential growth-inducing aspects of the Proposed Action (i.e., the “secondary” impacts that could trigger further development). The 2020~~14~~ *City Environmental Quality Review (CEQR) Technical Manual* indicates that an analysis of the growth-inducing aspect of a proposed action is appropriate when an action:

- Adds substantial new land use, new residents, or new employment that could induce additional development of a similar kind or support uses, such as retail establishments to serve new residential uses; and/or
- Introduces or greatly expands infrastructure capacity.

As detailed in **Chapter 1, “Project Description,”** the New York City Department of City Planning (DCP) is proposing a zoning text amendment to update the Special Regulations Applying in Flood Hazard Areas (Article VI, Chapter 4) of the New York City Zoning Resolution (ZR), which includes the [“Flood Resilience Zoning Text”](#) (the “2013 Flood Text”) and [“Special Regulations for Neighborhood Recovery”](#) (the “2015 Recovery Text”). These temporary zoning rules were adopted on an emergency basis to remove zoning barriers that were hindering the reconstruction and retrofitting of buildings affected by Hurricane Sandy and to help ensure that new construction there would be more resilient. The 2013 Flood Text provisions are set to expire with the adoption of new and final Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs), which is anticipated to occur within the next few years. Applicability of the 2015 Recovery Text expired in July 2020. Therefore, DCP is proposing a citywide zoning text amendment, [“Zoning for Coastal Flood Resiliency”](#) (the “Proposed Action”), to improve upon and make permanent the relevant provisions of the existing temporary zoning rules of the 2013 Flood Text and 2015 Recovery Text. In addition, the Proposed Action includes special provisions to help facilitate the city’s long-term recovery from the COVID-19 pandemic and its associated economic effects by providing more time for existing non-conforming uses to reopen and builders to undertake certain construction projects. The Proposed Action also includes updates to other sections of the ZR, including the Special Regulations Applying in the Waterfront Area (Article VI, Chapter 2) and provisions within various Special Purpose Districts. The Proposed Action would mostly affect New York City’s current 1% annual and 0.2% annual chance floodplains. However, select provisions of the Proposed Action would be applicable citywide. To help the City prepare for or respond to other disasters, select provisions in the Proposed Action regarding power systems and other mechanical equipment, ramps and lifts, vulnerable populations, and disaster recovery rules, would be applicable citywide.

Due to the broad applicability of the Proposed Action, it is difficult to predict the sites where development would be facilitated. In addition, the Proposed Action is not in-and-of-itself expected to induce development where it would not otherwise have occurred absent the Proposed Action. Although the Proposed Action may allow developments and existing buildings to retrofit to resilient standards, the overall amount, type, and location of construction within the affected area is not anticipated to change. Owing to the generic nature of this action, there are no known or projected as-of-right development sites identified as part of the Proposed Action’s Reasonable Worst-Case Development Scenario (RWCDs). To produce a reasonable analysis of the likely effects of the Proposed Action, 14 representative Prototypical Analysis Sites containing either new developments, infill, reconstructions, or retrofits of existing

buildings in the city's 1% and 0.2% annual chance floodplains were identified to demonstrate the wide range of proposed regulations for sites that would be able to develop as-of-right in the future with the Proposed Action, as detailed further in **Chapter 1**.

B. PRINCIPAL CONCLUSIONS

As described in **Chapter 1, "Project Description"** and discussed above, the Proposed Action is a generic action with no defined development sites. The Proposed Action in-and-of-itself is not expected to induce development or cause a significant change in the overall amount, type, or location of development. The development assumptions in the No-Action and With-Action scenarios mirror recent development patterns based on trends between 2012 and 2019. The Proposed Action is not expected to change the rate of growth in the city's floodplains, which is controlled primarily by the supply of developable land and by the local supply of skilled professionals in the construction industry. The Proposed Action is not expected to have a substantial effect on the development potential of sites, nor is it expected to modify the current housing development rate within the city's floodplains. As such, the Proposed Action would not add substantial new land uses, new residents, or new employment that could induce additional development of a similar kind or of support uses.

Additionally, the Proposed Action is not expected to negatively affect or impact the marketability of a building in any single zoning district over another and thus would not alter general market forces within any single neighborhood. Furthermore, the Proposed Action would not greatly expand infrastructure. Therefore, the Proposed Action would not result in any secondary impacts.