# **Summary Comparison Chart**

#### **Underlying Zoning**

# 2013 Flood Text / 2015 Recovery Text

## **Zoning for Coastal Flood Resiliency**



General

**Applicability** 

chance floodplain.

on a given piece of property, while establishing limits on the building envelope.

Underlying height regulations allow certain buildings to more

closely achieve their fully permitted height within the 1% annual

o The BFE in zoning districts with height limits (ZR 12-10,

• Grade in all other zoning districts (ZR 23-00, 24-00, 33-00,

Permanent regulations control which uses could be conducted

• Apply to zoning lots located citywide (ZR 11-111).

Temporary regulations facilitate buildings to incorporate resiliency improvements to fully meet flood-resistant construction standards while maintaining the same allowable building

• Apply to buildings where at least a portion is located within

Optional height regulations facilitate buildings to incorporate

- Building envelopes can be measured from:
- on the building type and zoning district, if the BFE equals or exceeds 4 feet above grade and blank walls are mitigated (ZR 64-334, 64-335, 64-336)

Height Allowance



Cottage

**Existing** 

**Buildings** 

Envelope

of buildings located on pre-existing substandard lots.

• Required yards can be modified as follows:

• Building envelopes can be measured from:.

Definition of Base Plane), or

34-00, 35-00, 43-00).

- detached homes on lots narrower than the minimum lot width as required by the zoning district (to a minimum of five feet) (ZR 23-48).
- o Rear yards can be reduced for buildings on lots shallower than 70 feet in selected low-density districts and 90 feet in medium-high density districts (to a minimum of 10 feet)

Underlying optional yard regulations facilitate the construction

- o Side yards can be reduced for single- and two-family
- (ZR 23-52).

Underlying regulations allow existing non-conforming uses and non-complying buildings to stay in place but limit their reconstruction, enlargement or alteration.

- Existing non-complying buildings generally cannot be elevated, retrofitted or reconstructed to meet flood-resistant construction standards, as they cannot create new noncompliances to height and setback (ZR 54-31, 54-41).
- Existing non-conforming uses generally cannot be reconstructed, if demolished (ZR 52-531).

the 1% annual chance floodplain (ZR 64-12) as an option (to allow buildings to meet *flood-resistant construction standards*)

flood-resistant construction standards, while improving the utility of spaces below the DFE.

- o The *DFE* in all zoning districts (ZR 64-131), or
- o A reference plane placed at nine, 10 or 12 feet, depending

Optional building envelope facilitates the reconstruction of homes located on pre-existing substandard lots in selected areas (Neighborhood Recovery Areas), and better reflects the scale of traditional cottage buildings.

- Required yards can be modified as follows:
- o Side yards can be reduced for single- and two-family detached homes on lots narrower than the minimum lot width as required by the zoning district (to a minimum of three feet) (ZR 64-A352)
- o Rear yards can be reduced for single- and two-family detached homes on lots shallower than 95 feet (to a minimum of 10 feet) (ZR 64-A353)
- Yard flexibility comes with a lower height limit than required by the underlying zoning district (ZR 64-A30, 64-A36)

Regulations allow the reconstruction, enlargement or alteration of certain existing non-conforming uses and non-complying buildings to meet *flood-resistant construction standards*.

- Existing non-complying buildings can be elevated or reconstructed to the DFE, while creating new height and setback non-compliances (ZR 64-721, 64-722, 64-723, 64-724, 64-A20, 64-A21)
- Existing non-conforming single-and two-family homes, except homes in manufacturing or heavy commercial districts, can be rebuilt to DFE (ZR 64-711, 64-712)

Permanent regulations would facilitate buildings to proactively incorporate resiliency improvements to fully meet or exceed flood-resistant construction standards while maintaining the same allowable building envelope.

• Apply to **zoning lots** where at least a portion is located within the 1% or the 0.2% annual chance floodplain as an option (to allow buildings to meet *flood-resistant construction standards*).

Optional height regulations would facilitate buildings to incorporate sea level rise projections when meeting flood-resistant construction standards, while improving the utility of spaces below the *DFE*.

- *Building envelopes* would be measured from:
  - o The *DFE* in all zoning districts; or
  - o A reference plane placed anywhere between grade and 10 feet (within the 1% annual chance floodplain), or five feet (within the 0.2% annual chance floodplain), to incentivize buildings to be designed to be flood resistant in the long-term and provide an inviting streetscape.

Optional building envelope would facilitate the construction, reconstruction, and retrofit of homes located on pre-existing substandard lots in all areas, and better reflect the scale of traditional cottage buildings.

- Required yards would be able to be modified as follows:
- o Side yards would be reduced for single- and two-family detached homes on lots narrower than 30 feet or the minimum lot width as required by the zoning district (to a minimum of three feet);
- o Rear yards would be reduced for single- and two-family detached homes in lots shallower than 95 feet (to a minimum of 10 feet);
- o Front yards would be reduced by allowing buildings to meet front yards and setbacks of neighboring buildings
- Yard flexibility would come with a lower height limit of 25 feet above *DFE* or *reference plane* (whichever is higher).

Regulations would allow the reconstruction, enlargement or alteration of a greater range of existing non-conforming uses and non-complying buildings to meet or exceed flood-resistant construction standards.

- Existing *non-complying* buildings would be able to be elevated, retrofitted or reconstructed to or above the DFE, while increasing/creating new height and setback non-compliances if the height does not exceed underlying maximum height as measured from the DFE or reference plane (whichever is higher). Buildings will also be able to increase/create new open area non-compliances, provided certain parameters;
- Existing *non-conforming* uses, **including residential buildings** in manufacturing or heavy commercial districts, would be able to be *retrofitted* or generally rebuilt to or *above the DFE* or reference plane (whichever is higher).



Envelope



# **Summary Comparison Chart**

## **Underlying Zoning**

# 2013 Flood Text / 2015 Recovery Text

### **Zoning for Coastal Flood Resiliency**



Floor Area Exemptions Underlying floor area regulations exempt floor area for buildings located within the 1% annual chance floodplain under limited conditions.

Floor area can be exempted if:

More than one-half of the floor-to-ceiling height is located
 below the *BFE* in zoning districts with height limits (ZR 12-10, Definition of Cellar)

Underlying streetscape regulations promote walkability across the city's residential and commercial areas.

• Ground floor use, street wall, and planting rules apply for residential and commercial buildings, and community facilities (ZR 26-00, 37-00)



Use

Regulations

Existing Buildings

Streetscape

Supplemental use regulations ensure that buildings contribute to the streetscape of the area.

• Commercial uses are limited to the ground-floor in mixed-use buildings located within low and medium-density commercial districts (ZR 32-421)

No applicable provisions.



Special

**Building** 

Design

Ground-floor Use Special Permit No applicable provisions.

Floor area regulations exempt floor area to encourage new and existing buildings to meet *flood-resistant construction standards*.

Floor area can be exempted if:

- More than one-half of the floor-to-ceiling height is located

   below the *DFE* in all zoning districts (ZR 64-11, Definition of Cellar)
- The ground-floor of existing buildings is wet-floodproofed (ZR 64-411)

The ground-floor of existing buildings in selected commercial districts is *dry-floodproofed* (ZR 64-411)

Streetscape regulations promote walkability across the city's 1% annual chance floodplain by helping mitigate potential blank walls.

- Additional streetscape regulations are required for:
- o Residential buildings and community facilities if the level of the first occupiable floor equals or exceeds five feet or the *DFE* equals or exceeds 10 feet (ZR 64-61, 64-62, 64-63)

Other non-residential buildings in areas where the DFE equals or exceeds 10 feet (ZR 64-64)

No applicable provisions.

Discretionary path allows existing buildings that need extra zoning flexibility to meet *flood-resistant construction standards* when *retrofitting* or reconstructing

• The BSA can modify design requirements, height (10% or 10 feet whichever is less), and other bulk regulations, except floor area rules (ZR 64-92)

No applicable provisions.

Floor area regulations would exempt floor area to encourage new and existing buildings to meet or exceed *flood-resistant construction standards*, while ensuring quality ground-floors that are kept at street level.

- Floor area would be exempted if:
- o The ground-floor of **new** and existing buildings is wet-floodproofed;
- o The first 30 feet of ground-floors of new and existing buildings in all commercial districts along primary streets, is *dry-floodproofed*, located close to grade, and with a non-residential use.

Streetscape regulations would promote walkability across the city's *floodplain* by ensuring an accessible design that makes the streetscape more inviting while mitigating additional height.

- Additional streetscape regulations are required for:
- All buildings (except those with heavy manufacturing uses) that utilize the flexibility offered in the text, would be required to comply with streetscape regulations, while having access to a wider range of design options to better accommodate different contexts and building typologies.

Supplemental use regulations would offer alternatives beyond *dry-floodproofed* cellars for businesses to locate commercial uses, especially accessory spaces:

 Commercial uses would be able to be placed at the second story in mixed-use buildings located within all commercial districts.

Discretionary path would allow existing buildings that need additional zoning flexibility to meet *flood-resistant construction* standards when retrofitting or reconstructing:

 The BSA can modify design requirements, parking, height, and other bulk regulations, including floor area, to allow buildings to meet flood-resistant construction standards.

Discretionary path to allow buildings extra floodproofing options, beyond *wet-floodproofing*, while encouraging a more active streetscape:

• The BSA would allow buildings located within residence districts to use the ground-floor level of the building for professional offices, if the space is *dry-floodproofed*.



# **Summary Comparison Chart**

#### 2013 Flood Text / 2015 Recovery Text

### **Zoning for Coastal Flood Resiliency**



Permitted obstruction and floor area regulations facilitate the placement of mechanical equipment within or outside of buildings.

**Underlying Zoning** 

• Space used to store mechanical equipment is not counted toward floor area calculations, with some exceptions in low-density residence districts (ZR 12-10, Definition of Floor

Permitted obstruction allowances are offered for mechanical equipment to be placed on roofs (ZR 23-62, 33-42)

Permitted obstruction and floor area regulations facilitate the placement of mechanical equipment above the DFE, including emergency generators, within or outside of buildings.

• Space used to store mechanical equipment is not counted towards floor area calculations, within all zoning districts (ZR

Extra permitted obstruction allowances are offered to mechanical equipment to be placed on roofs or within rear yards (ZR 64-322, 64-331, 64-332, 64-421, 64-432)

Emergency generators can be installed as permitted obstructions on yards and open space on lots with single- or two-family homes (ZR 64-421, 64-A24, 64-A34)

Permitted obstruction and floor area regulations would facilitate the placement of MEP equipment above the DFE, including emergency generators within or outside of buildings, including within separate MEP buildings.

equipment, would not be counted towards floor area calculations, within all zoning districts;

• Space used to store *MEP* equipment, including access to the

• Extra permitted obstruction allowances would be offered to *MEP* equipment to be placed on roofs or within rear yards;

• Emergency generators would be installed as permitted obstructions on yards and open space for all lots located

• Extra flexibility would allow MEP to be located within separate buildings on large lots.



Rules

Mechanical

Equipment -

No applicable provisions

Permitted obstruction regulations facilitate the implementation of site-scale flood protection measures.

• More flexible permitted obstruction rules allow flood barriers, retaining walls and raised yards to be installed (ZR 64-323)

Special rules provide flexibility for grading of waterfront sites to achieve flood resilience.

- Waterfront yards may be elevated, provided it follows grading requirements and connects to adjacent properties;
- Visual corridors may be adjusted (raised) to coordinate with elevated yards.



Waterfront

No applicable provisions



**Partial** Resiliency

**Strategies** 

Regulations limit the reconstruction of existing non-conforming uses and non-complying buildings.

> Existing non-conforming uses and non-complying buildings generally cannot be reconstructed if damaged (ZR 52-531,

• Existing *non-conforming* uses and *non-complying* buildings can be reconstructed if damaged (ZR 64-711, 64-721)

Regulations facilitate the reconstruction of existing non-

conforming uses and non-complying buildings that were

damaged by Hurricane Sandy.

Regulations expedite the Hurricane Sandy recovery process in Neighborhood Recovery Areas.

• Simplified documentation process is available to single- and two-family homes that need to obtain DOB permits for the reconstruction or elevation of storm-damaged buildings (ZR 64-A02, 64-A11, 64-A12)

Permitted obstruction regulations would facilitate the implementation of site-scale flood protection measures, including on large sites.

• More flexible permitted obstruction rules would allow flood barriers, retaining walls, raised yards, berms and floodgates to be installed.

Special rules would provide more design strategies to facilitate a resilient and accessible waterfront.

- Increased flexibility with grading requirements and requirements for the connection with adjacent properties, would facilitate waterfront yards and the shore public walkway to be elevated;
- More flexible rules for the measurement of waterfront yards, maximum retaining wall height, screening buffer and planting requirements, would facilitate the design of bi-level shore public walkways;
- Visual corridors would be able to be adjusted (raised) to coordinate with elevated yards;
- More flexible rules for the measurement of waterfront yards would allow for greater options of shoreline design.

Regulations would facilitate the reconstruction of existing non-complying and/or non-conforming buildings that were damaged by a future disaster in future recovery area.

• Existing *non-conforming* uses and *non-complying* buildings would be able to be fully reconstructed if damaged

Regulations would expedite future recovery processes in heavily damaged areas.

• Simplified documentation process would be available to all buildings that need to obtain DOB permits for the reconstruction, elevation or retrofit of storm-damaged buildings.



**Emergency** Rules

Existing Buildings

> Documentation

No applicable provisions