



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency ([see instructions](#))

Part I: GENERAL INFORMATION

PROJECT NAME Citywide Hotels Text Amendment

1. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)
21DCP111Y

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)
Pending

OTHER REFERENCE NUMBER(S) (if applicable)
(e.g., legislative intro, CAPA)

2a. Lead Agency Information

NAME OF LEAD AGENCY
NYC Department of City Planning

2b. Applicant Information

NAME OF APPLICANT
NYC Department of City Planning
Housing and Economic Development (HED) Division

NAME OF LEAD AGENCY CONTACT PERSON
Olga Abinader, Director, EARD

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON
Jennifer Gravel, Director, HED Division

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STATE NY

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3. Action Classification and Type

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): b2

Action Type (refer to [Chapter 2](#), "Establishing the Analysis Framework" for guidance)

☐ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☒ GENERIC ACTION

4. Project Description

DCP proposes a citywide zoning text amendment to establish a Special Permit under the jurisdiction of the City Planning Commission (CPC) for all new hotels within New York City.

Project Location

BOROUGH Bronx, Brooklyn,
Manhattan, Queens, Staten
Island

COMMUNITY DISTRICT(S) All

STREET ADDRESS

TAX BLOCK(S) AND LOT(S)

ZIP CODE

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY

ZONING SECTIONAL MAP NUMBER

5. Required Actions or Approvals (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☐ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT

☐ ZONING CERTIFICATION

☐ CONCESSION

☐ ZONING MAP AMENDMENT

☐ ZONING AUTHORIZATION

☐ UDAAP

☒ ZONING TEXT AMENDMENT

☐ ACQUISITION—REAL PROPERTY

☐ REVOCABLE CONSENT

☐ SITE SELECTION—PUBLIC FACILITY

☐ DISPOSITION—REAL PROPERTY

☐ FRANCHISE

☐ HOUSING PLAN & PROJECT

☐ OTHER, explain:

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Department of Environmental Protection: ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> LEGISLATION | <input type="checkbox"/> FUNDING OF CONSTRUCTION, specify: |
| <input type="checkbox"/> RULEMAKING | <input type="checkbox"/> POLICY OR PLAN, specify: |
| <input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES | <input type="checkbox"/> FUNDING OF PROGRAMS, specify: |
| <input type="checkbox"/> 384(b)(4) APPROVAL | <input type="checkbox"/> PERMITS, specify: |
| <input type="checkbox"/> OTHER, explain: | |

Other City Approvals Not Subject to CEQR (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) | <input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL |
| <input type="checkbox"/> OTHER, explain: | |

State or Federal Actions/Approvals/Funding: ☐ YES ☒ NO If "yes," specify:**6. Site Description:** *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.***Graphics:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

- | | | |
|---|--|--|
| <input type="checkbox"/> SITE LOCATION MAP | <input type="checkbox"/> ZONING MAP | <input type="checkbox"/> SANBORN OR OTHER LAND USE MAP |
| <input type="checkbox"/> TAX MAP | <input checked="" type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S) | |
| <input type="checkbox"/> PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP | | |

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): Generic Action, See Draft

Waterbody area (sq. ft.) and type:

Scope

Roads, buildings, and other paved surfaces (sq. ft.):

Other, describe (sq. ft.):

7. Physical Dimensions and Scale of Project (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): N/A

NUMBER OF BUILDINGS:

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.):

HEIGHT OF EACH BUILDING (ft.):

NUMBER OF STORIES OF EACH BUILDING:

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant:

The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☐ YES ☒ NO

If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length)

VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

8. Analysis Year [CEQR Technical Manual Chapter 2](#)

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2035

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: N/A

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

9. Predominant Land Use in the Vicinity of the Project (check all that apply)

- | | | | | |
|---|---|--|---|--|
| <input checked="" type="checkbox"/> RESIDENTIAL | <input checked="" type="checkbox"/> MANUFACTURING | <input checked="" type="checkbox"/> COMMERCIAL | <input type="checkbox"/> PARK/FOREST/OPEN SPACE | <input type="checkbox"/> OTHER, specify: |
|---|---|--|---|--|

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

Generic Action; see EAS Attachment and/or Draft Scope

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)				
Gross floor area (sq. ft.)				
Manufacturing/Industrial	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," describe:				
Publicly Accessible Open Space	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," describe:				
PARKING				
Garages	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," describe:				
POPULATION				
Residents	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify number:				
Briefly explain how the number of residents was calculated:				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Businesses	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. and type				
No. and type of workers by business				
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:				
Other (students, visitors, concert-goers, etc.)	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification				
Maximum amount of floor area that can be developed				
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project				
Attach any additional information that may be needed to describe the project.				
If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.


- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. LAND USE, ZONING, AND PUBLIC POLICY: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. To be provided in EIS		
(e) Is the project a large, publicly sponsored project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," complete a PlaNYC assessment and attach. To be provided in EIS		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," complete the Consistency Assessment Form . To be provided in EIS		
2. SOCIOECONOMIC CONDITIONS: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of more than 200 residential units or 200,000 square feet of commercial space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer both questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	<input type="checkbox"/>	<input type="checkbox"/>
ii. Indirect Residential Displacement		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	<input type="checkbox"/>	<input type="checkbox"/>
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	<input type="checkbox"/>	<input type="checkbox"/>
iii. Direct Business Displacement		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	<input type="checkbox"/>	<input type="checkbox"/>
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
enhance, or otherwise protect it?		
iv. Indirect Business Displacement		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	<input type="checkbox"/>	<input type="checkbox"/>
v. Effects on Industry		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Indirect Effects		
i. Child Care Centers		
o Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
ii. Libraries		
o Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
iii. Public Schools		
o Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of health care facilities in the area?	<input type="checkbox"/>	<input type="checkbox"/>
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of fire or police protection in the area?	<input type="checkbox"/>	<input type="checkbox"/>
4. OPEN SPACE: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Is the project located within an under-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Is the project located within a well-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5	<input type="checkbox"/>	<input type="checkbox"/>


	YES	NO
percent?		
<ul style="list-style-type: none"> o If “yes,” are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify: 	<input type="checkbox"/>	<input type="checkbox"/>
5. SHADOWS: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If “yes” to either of the above questions, attach supporting information explaining whether the project’s shadow would reach any sunlight-sensitive resource at any time of the year.		
6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If “yes” to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. URBAN DESIGN AND VISUAL RESOURCES: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If “yes” to either of the above, please provide the information requested in Chapter 10 .		
8. NATURAL RESOURCES: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If “yes,” complete the Jamaica Bay Watershed Form and submit according to its instructions .		
9. HAZARDOUS MATERIALS: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” were Recognized Environmental Conditions (RECs) identified? Briefly identify:	<input type="checkbox"/>	<input type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input type="checkbox"/>
10. WATER AND SEWER INFRASTRUCTURE: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(c) If the proposed project located in a separately sewerred area , would it result in the same or greater development than that listed in Table 13-1 in Chapter 13 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas , including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewerred or currently unsewerred?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. SOLID WASTE AND SANITATION SERVICES: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14 , the project's projected operational solid waste generation is estimated to be (pounds per week): N/A		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
12. ENERGY: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15 , the project's projected energy use is estimated to be (annual BTUs): N/A		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? **It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	<input type="checkbox"/>	<input type="checkbox"/>
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) Mobile Sources: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Stationary Sources: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17 ? (Attach graph as needed)	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project result in the development of 350,000 square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18 ?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008 ; § 24-	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
16. NOISE: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20 , "Public Health." Attach a preliminary analysis, if necessary.		
18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21 , "Neighborhood Character." Attach a preliminary analysis, if necessary. See EAS Part II: Technical Screenings		
19. CONSTRUCTION: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22 , "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		
20. APPLICANT'S CERTIFICATION		
I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.		
Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.		
APPLICANT/REPRESENTATIVE NAME Jennifer Gravel	SIGNATURE 	DATE December 18, 2020
PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORMAT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.		

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.		Potentially Significant Adverse Impact	
	IMPACT CATEGORY	YES	NO
	Land Use, Zoning, and Public Policy	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Socioeconomic Conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Neighborhood Character	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Check determination to be issued by the lead agency:			
<input checked="" type="checkbox"/> Positive Declaration: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).			
<input type="checkbox"/> Conditional Negative Declaration: A <i>Conditional Negative Declaration</i> (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.			
<input type="checkbox"/> Negative Declaration: If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.			
4. LEAD AGENCY'S CERTIFICATION			
TITLE Director, Environmental Assessment and Review Division		LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. NY, NY 10271 (212) 720-3493	
NAME Olga Abinader		DATE December 18, 2020	
SIGNATURE 			



Part I: Project Description

Introduction

As of January 2020, New York City remained one of the world's most popular travel destinations, the third largest hotel market in the United States after Las Vegas and Orlando, and the largest hotel supply pipeline in the nation according to Lodging Magazine. In 2019, New York City drew a record 66.6 million visitors, a 2.4 percent increase over 2018 and reflective of an uninterrupted 12-year run of consecutive increases in visitor counts. 28 million of those visitors stayed in hotels in the city, accounting for over \$13 billion in direct and indirect business sales.

2019 also saw the continuation of an unprecedented boom in hotel development in New York City that began in 2007 and added over 54,100 hotel rooms since that year, a 73 percent increase in supply. While hotels directly supported 305,900 jobs in 2019 and accounted for \$940 million in property tax, \$634 million in hotel occupancy tax, and \$425 million in sales tax in fiscal year 2019, the rapid pace of new hotel development has introduced new activity that may conflict with existing businesses in commercial districts. In addition, while hotels are like residential uses in that they primarily contain sleeping accommodations, the transient nature of hotels can change the primarily residential character of some commercially zoned neighborhoods. At the same time, many C8 and mixed-use districts where new hotels have located lack amenities and services, while surrounding business activity and traffic may create hazards for guests.

Over time, the rapid growth of new hotels across the city has led the City Planning Commission (CPC) to adopt a variety of special permits to address myriad planning concerns, relating to residential development goals, neighborhood character, and conflicts with adjacent uses. Consequently, the City has an inconsistent and patchwork framework for new hotel development.

Although the COVID-19 pandemic caused an abrupt and precipitous drop in hotel occupancy and construction, visitation is expected to return by 2025 along with a demand for new hotels. When this occurs, a more uniform zoning framework for new hotels citywide could support more predictable development and limit the extent to which a hotel use may impair the future use or development of the surrounding area. Review of the project's relationship to area context will result in better configuration of the use on the zoning lot to minimize conflicts with adjacent uses.

Accordingly, to create a more consistent zoning framework for new hotels; to address conflicts with nearby commercial, industrial, and residential uses that new transient uses may introduce; and to avoid the potential for hotel development to impair the future use and development of areas around a new hotel, the Department of City Planning (DCP) proposes a citywide zoning text amendment to establish a new special permit under the jurisdiction of the CPC for new hotels, motels, tourist cabins, and boatels in C1, C2, C4, C5, C6, C8, and Mixed-Use (MX) and paired M1/R districts.

In order to address the potential loss of hotel inventory citywide related to the closure of hotels due to the pandemic, DCP will also evaluate changes to discontinuance provisions for existing commercial hotels in all zoning districts citywide. The objective is to allow hotels that are closed on the date of enactment to retain the transient use (Use Group 5 or 7) as-of-right until after demand recovers.

The Proposed Action aims to create a more consistent framework for hotel development citywide and to ensure that new hotels are established on appropriate sites based on reasonable considerations regarding the hotel development's impact on the future use and development of the surrounding area.

Current Zoning Regulations

Hotel Definition

In the NYC Zoning Resolution, transient hotels are defined as a building or part of a building in which:

- › Living or sleeping accommodations are used primarily for transient occupancy, and may be rented on a daily basis;
- › One or more common entrances serve all such living or sleeping units; and
- › 24-hour desk service is provided, in addition to one or more of the following services: housekeeping, telephone, or bellhop service, or the furnishing or laundering of linens.

Permitted accessory uses include restaurants, cocktail lounges, public banquet halls, ballrooms, or meeting rooms. Transient hotels are classified as Use Group 5.

Other forms of transient accommodations defined in the NYC Zoning Resolution are motels, tourist cabins, and boatels. These uses are classified as Use Group 7. Motels or tourist cabins are defined as a building or group of buildings which:

- › Contain living or sleeping accommodations used primarily for transient occupancy; and
- › Have individual entrances from outside the building to serve each such living or sleeping unit.

Boatels are defined as a building or group of buildings which:

- › Contain living or sleeping accommodations used primarily for transient occupancy; and
- › Are immediately accessible by boat.

Since there are very few motels, tourist cabins, or boatels in NYC, and because of these limiting factors, few, if any, are expected to be developed in the future. Therefore, this document uses the term "hotel" but will by implication also refer to these other transient accommodations.

Where Hotels Are Allowed As-of-Right

Transient hotels are permitted as-of-right in the following zoning districts: C1 (except for C1-1, C1-2, C1-3 or C1-4 Districts), C2¹, C4, C5, C6, and C8. Hotels are also permitted as-of-right

¹ In C2-1 through C2-4 districts, transient hotels may be located only within a 1,000-foot-radius of the entrance/exit of a limited-access expressway.

in Mixed Use districts (MX), paired M1/R districts, and in M1 zones at the City's airports. Motels, tourist cabins, and boatels are permitted as-of-right in C6² and C8 districts, and in C2 districts within a 1,000-foot radius of the entrance/exit of a limited-access expressway.

Where Hotels Are Allowed by Special Permit

Zoning Districts

To address land use conflicts, local planning goals, and community concerns related to rapid hotel development, the CPC has adopted a variety of special permits for new hotels in different geographies over the last 15 years (see **Figure 1**).

These areas include certain special districts in mixed-use and amenity-rich areas in Manhattan, such as special districts in Clinton, Hudson Square, Tribeca, Garment Center, and East Midtown, where a site-specific review and CPC approval of new hotels is required to ensure that the hotel use, which has characteristics of both residential and commercial development, does not impair the essential character of the surrounding area, or affect the future use and development of the surrounding area by creating conflicts that might limit opportunities for other types of desired uses, such as housing.

In 2018, the CPC adopted a zoning text amendment to require a special permit for new hotels in light manufacturing districts (M1).³ This text amendment was introduced to address conflicts between new hotels and the operations of industrial businesses.

Motels, tourist cabins, and boatels are permitted in C3 districts by special permit.

Special Permit Findings

The existing special permits have a variety of findings, considerations, and applicability. Consequently, the zoning for regulating hotel development citywide is inconsistent, resulting in a framework that establishes different standards for new hotels in different locations without a unified objective for hotel development citywide.

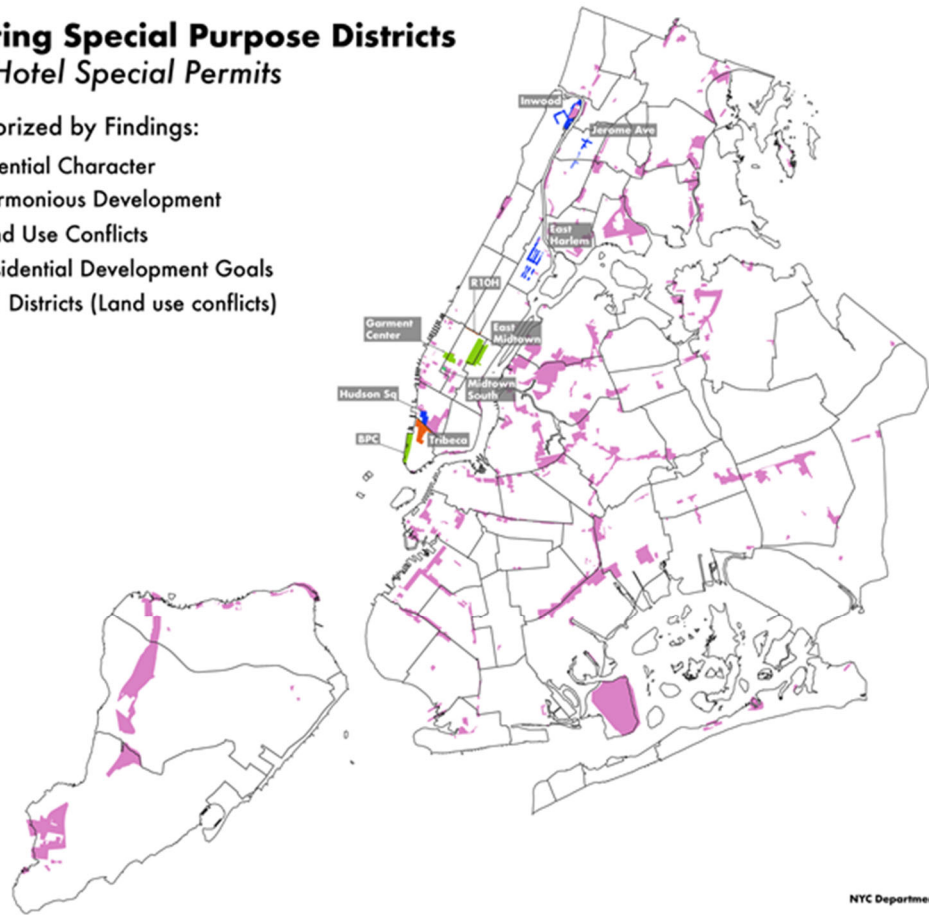
² Except in C6-1A

³ This zoning text amendment includes provisions to exempt hotels in M1 districts operated for a public purpose.

Figure 1 Existing Special Purpose Districts with Hotels Special Permits**Existing Special Purpose Districts
with Hotel Special Permits**

Categorized by Findings:

- Essential Character
- Harmonious Development
- Land Use Conflicts
- Residential Development Goals
- M1 Districts (Land use conflicts)



NYC Department of C

Currently, there are four distinct types of hotel special permit findings:

- › First is a special permit requirement that ensures a transient hotel is located as not to impair the essential character of, or the future use or development of, the surrounding area, such as in Tribeca.
- › The second type of hotel special permit requires that a hotel development not only achieve a diverse and harmonious mix of uses in the surrounding area but also demonstrates that the design is appropriate and incorporates elements that are necessary to address any potential conflicts between the proposed use and adjacent uses.
- › The third type of special permit addresses the need for sufficient development sites to be available in the area to meet residential development goals of the surrounding area.
- › Lastly, East Midtown, Hudson Square, and M1 districts citywide, require a CPC special permit to minimize land use conflicts with adjacent uses and the potential to impair the growth and development of other uses.

Area of Applicability

The Proposed Actions would apply to the following zoning districts (see **Figure 2**):

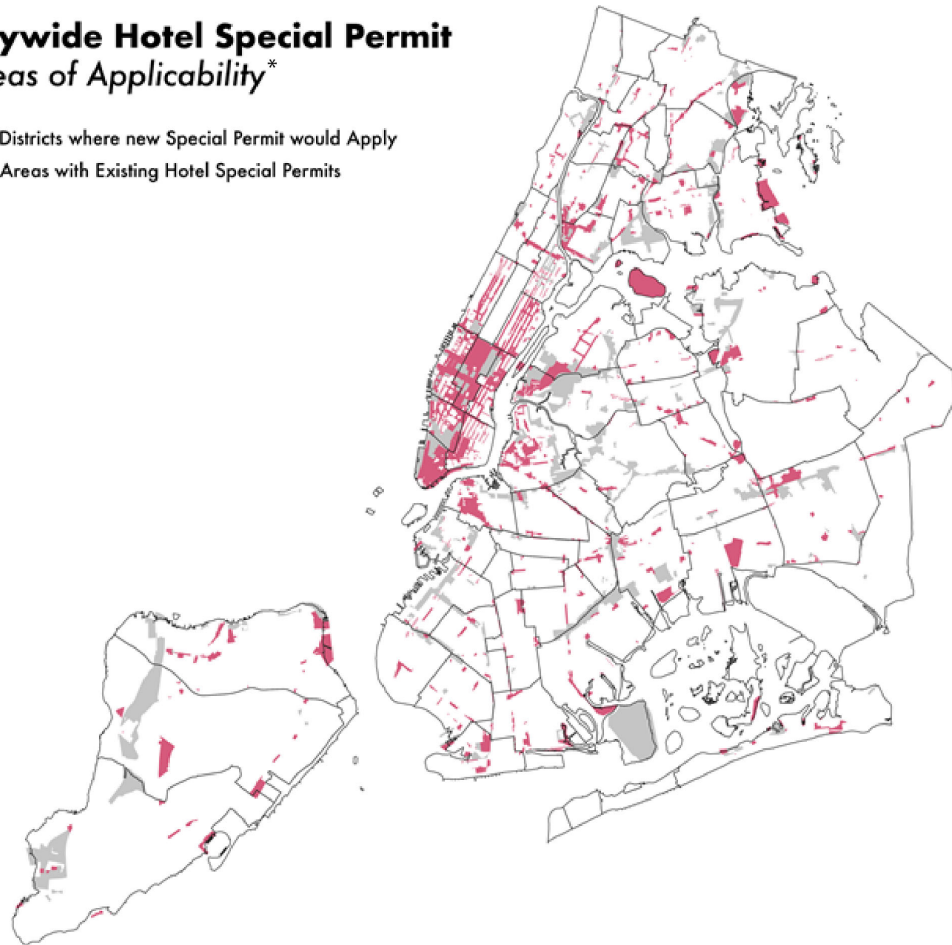
- › Commercial Districts: C1 (except for C1-1, C1-2, C1-3 or C1-4 Districts), C2⁴, C4, C5, C6, and C8.
- › Mixed Use Districts: MX, paired M1/R districts,
- › Special Districts: Clinton, Hudson Square, Tribeca, Garment Center, and East Midtown

Together these represent the “Area of Applicability” for the Proposed Actions.

Figure 2 Areas of Applicability

Citywide Hotel Special Permit Areas of Applicability*

- Districts where new Special Permit would Apply
- Areas with Existing Hotel Special Permits



Note: *Any changes to discontinuance provisions would apply citywide

⁴ In C2-1 through C2-4 districts, transient hotels may be located only within a 1,000-foot-radius of the entrance/exit of a limited-access expressway.

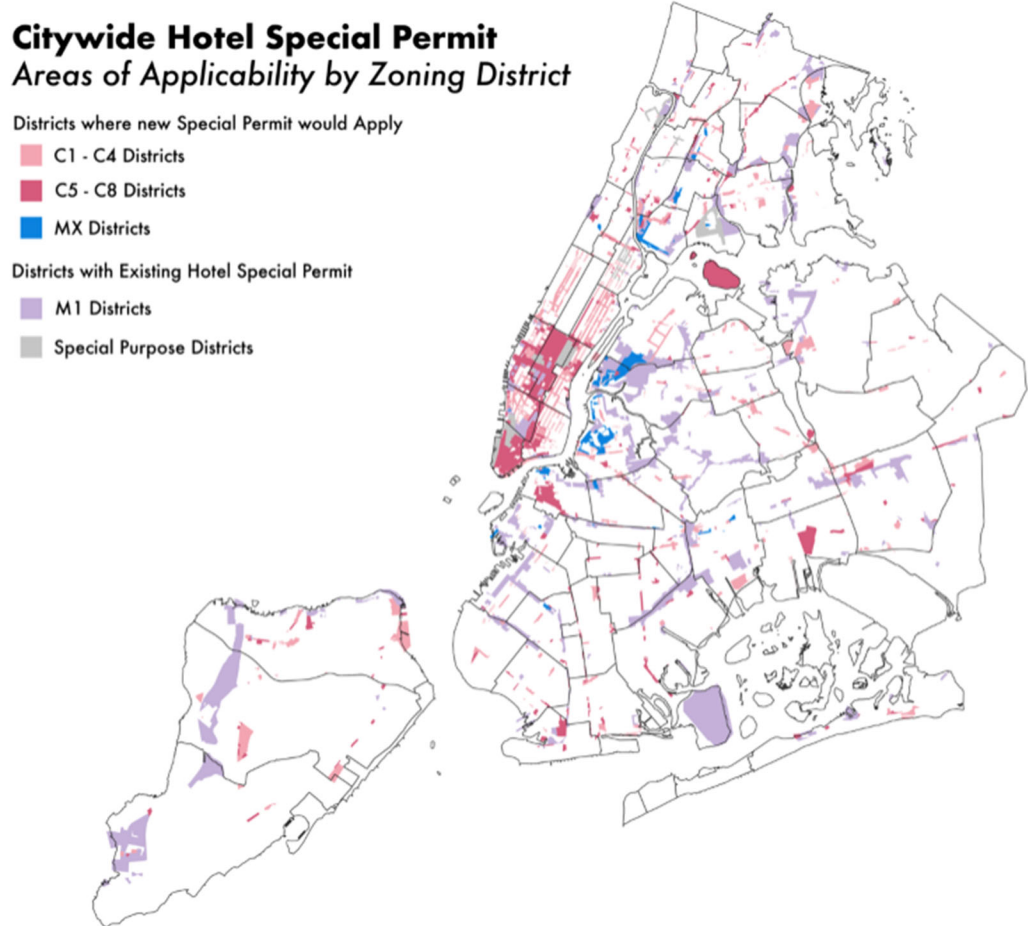
Description of the Proposed Action

DCP is proposing a zoning text amendment to require a CPC special permit for new and enlarged transient hotels (Use Group 5), and motels, tourist cabins and boatels (Use Group 7). The new CPC special permit will replace existing special permits in Special Purpose Districts and require a CPC special permit citywide for new hotels and enlargements in C1, C2, C4, C5, C6, C8, Mixed Use (MX), and paired M1/R districts (see **Figure 3**). The proposed text amendment would retain existing findings and regulations for hotels in M1 districts where a special permit was adopted in December 2018. The Proposed Action would also retain provisions adopted in the 2018 text amendment to exempt hotels in M1 district operated for a public purpose.

In order to address the potential loss of hotel inventory citywide related to the closure of hotels due to the pandemic, DCP will also evaluate changes to discontinuance provisions for existing commercial hotels in all zoning districts citywide. The objective is to allow hotels that are closed on the date of enactment to retain the transient use (Use Group 5 or 7) as-of-right until after demand recovers.

The proposed zoning text amendment would affect every community district within the City since all community districts contain zoning districts that currently permit as-of-right hotel development, either in the form of commercial (C) districts or mixed-use (MX) districts. In addition, since changes to discontinuance provisions may apply to existing commercial hotels that are closed on the date of enactment and could apply in all districts citywide, the action has the potential to affect all community districts. By introducing a CPC special permit, DCP proposes to create a more consistent framework for hotel development citywide. The review process will allow the CPC to evaluate whether a hotel use and its configuration on the zoning lot has the potential to introduce conflicts or create nuisances on surrounding uses that could negatively affect the future use and development of the area. If there is the potential to introduce conflicts or create nuisances, the review process will allow the potential for these conflicts to either be avoided or mitigated.

This CPC special permit would allow for the consideration of the appropriateness of hotel development in commercial and mixed-use districts where—depending on the neighborhood, development patterns, and surrounding uses—some considerations regarding a potential nuisance of a hotel development are warranted.

Figure 3 Areas of Applicability by Zoning District

Source: NYC GIS Zoning Features, NYC DCP

Hotels existing within commercial and mixed-use districts listed above on the date of adoption of the Proposed Action would be considered a conforming use. DCP will evaluate expanding current special permit regulations regarding as-of-right enlargements and extensions of hotels existing on the date of adoption.

Because of the anticipated closure of many of the city's existing hotels due to the COVID-19 pandemic, DCP will evaluate zoning mechanisms to limit the effect of reductions in supply when visitation and hotel demand recovers. Such changes could include, but would not be limited to, the extension of the standard discontinuance and vesting provisions, and the exclusion of some known hotel projects.

DCP will also evaluate whether Use Group 5 transient uses that are operated for a public purpose, such as those that do not operate as commercial hotels like emergency shelters and certain types of for-profit supportive housing, should be excluded from the proposal.

Purpose and Need

Prior to 2007, New York City's supply of hotel rooms had not kept up with demand, resulting in some of the highest occupancy and nightly rates in the country. Between 1997 and 2007,

the supply of hotel rooms in Manhattan grew by only 17.7 percent.⁵ When the Brooklyn Bridge Marriott opened in 1998, it was the first new hotel built in Brooklyn in more than 60 years.⁶ Although commercial hotels were permitted without restriction in most commercial and light manufacturing districts across the City, there was little new hotel construction outside the Central Business District. In the years between 2003 and 2006, Manhattan lost hotel supply, with the net inventory of hotel rooms in the borough declining by 3 percent, from 66,627 hotel rooms to 64,587.⁷

However, this began to change in 2007, driven by a rise in tourism and new sources of financing for hotels. New York City has added over 54,000 hotel rooms since that year, a 73 percent increase in supply. This growth was remarkable for its endurance—as evidenced by the five years between 2015 and 2019, which saw over 21,000 hotel rooms come online in the City, a 40 percent increase over the number of rooms that came online during the previous five-year period (see **Figure 4** and **Figure 5**). Another feature of this period of hotel growth has been its occurrence across all five boroughs and not just Manhattan. Since 2010, Queens and Brooklyn have both seen hotel room count increases of over 50 percent, with similar growth rates in the smaller markets of the Bronx and Staten Island. Also noteworthy has been the expansion of hotel development into areas of the city that had never supported substantial hotel development before, including light manufacturing districts in every borough. 2019 saw almost 6,000 new hotel rooms added to the city’s supply, with almost 20 percent of the city’s hotel room inventory outside Manhattan. By 2019, New York City experienced record growth in the tourism industry and its hotel pipeline for the tenth consecutive year⁸. However, in M1 zoning districts, the City’s special permit requirement for new hotels, instituted at the end of 2018, resulted in no new hotel projects in these areas.

Figure 4 NYC Hotel and Room Supply 2009-2019



Source: STR, 2020

⁵ HVS International, 2010 Manhattan Hotel Market Overview

⁶ Muss Development’s Brooklyn Bridge Marriott to begin \$43 million renovation and reposition; NY Real Estate Journal, May 11, 2015

⁷ HVS International, 2010 Manhattan Hotel Market Overview

⁸ NYC&Co., 2019

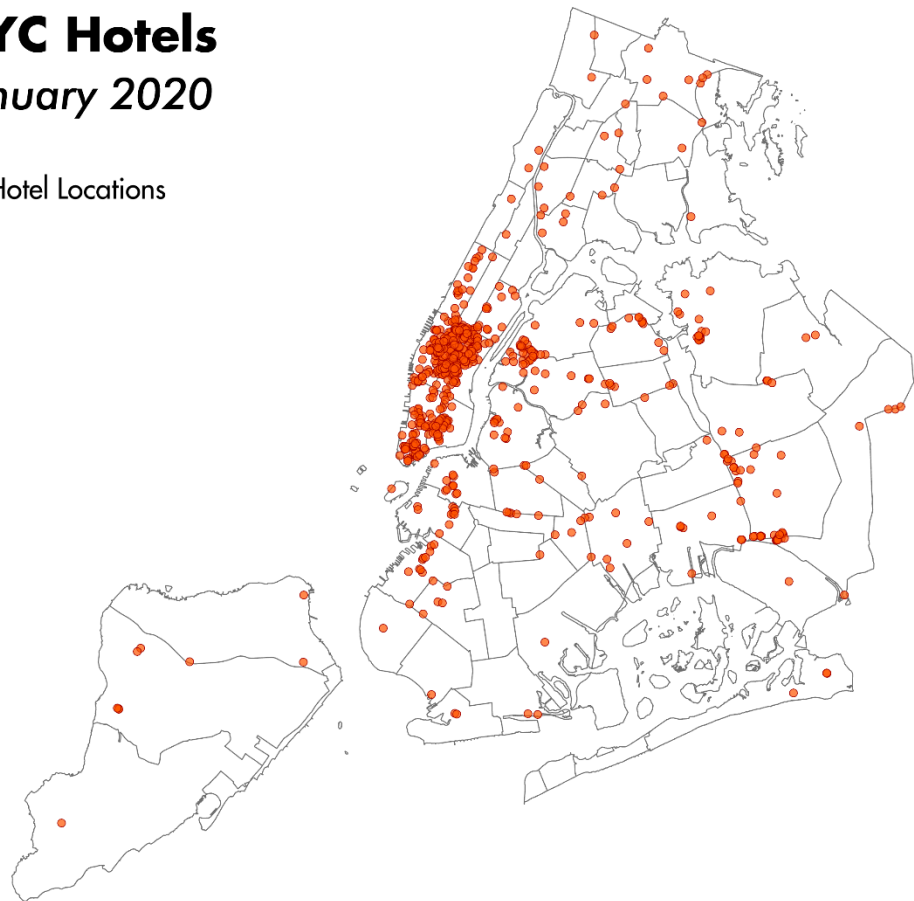
In 2019, there were over 127,800 hotel rooms in New York City, an all-time high. The city also attracted a record 67 million visitors that year, giving the New York City hotel market the highest occupancy rates of any major hotel market in the United States. However, New York City was also the only top 25 urban market in the nation that experienced negative RevPAR growth. RevPAR is measured by multiplying average daily rates times hotel occupancy rate. Multiple sources, including STR and the Hotel Association of New York, have recognized increased supply and competition from a broader choice of lodging types as a reason for depressed ADR in the New York market. Increased supply and the availability of short-term rentals also limits hotels' traditional abilities to charge higher rates during so-called "compression" periods, when room demand is higher.

Hotel industry analysts have also identified many of the same trends that are affecting the hotel industry nationwide, most notably high labor costs and third-party commission fees, to be the cause of decline of profitability of hotels in New York City.⁹

Figure 5 NYC Hotels in January 2020

NYC Hotels January 2020

● Hotel Locations



NYC Department of City Planning

Source: STR, 2020

Hotels are an important part of the city's business districts and economy lodging an estimated 28 million visitors and accounting for \$13 billion in direct and indirect business

⁹ Skift; Tourism is up so why is NYC's hotel market slumping?, Aug. 27, 2019

sales. In fiscal year 2019, hotels directly supported 305,900 jobs and accounted for \$940 million in Property tax, \$634 million in Hotel Occupancy tax, and \$425 million in sales tax.

Until the COVID-19 pandemic brought most new construction to a halt in March 2020, new hotels were outpacing other types of non-residential development in some parts of the city, in some instances introducing conflicts with adjacent uses and influencing development patterns in unanticipated ways. In addition, the rapid growth of hotels in commercial and mixed-use districts where hotels are currently allowed as-of-right presents land use challenges in the city's mixed-use business districts.

In these locations, hotels can create conflicts with adjacent uses and residences, and in less centrally located commercial areas, hotels may create nuisances on surrounding residents or local services. Additionally, less centrally located commercial areas often lack infrastructure to address the safety of or meet the needs of hotel guests. Although hotels are appropriate and desirable uses in the city's commercial, mixed-use, and light manufacturing districts, reviewing the project's relationship to area context of new hotels will result in better configuration of the use to minimize conflicts with adjacent uses and protect the safety of hotel guests.

In addition, while hotels are like residential uses in that they primarily contain sleeping accommodations, the transient nature of hotels can change the residential character of some neighborhoods. At the same time, many C8 and mixed-use districts where new hotels have located lack amenities and services, and surrounding business activity and traffic may pose unsafe conditions for guests.

As discussed above, to address land use conflicts, local planning goals, and community concerns related to rapid hotel development, over the last 15 years, the CPC has adopted a variety of different special permits for new hotels in different geographies (see **Where Hotels are Allowed by Special Permit** and **Figure 3**). This approach has resulted in an inconsistent zoning framework for regulating hotel development citywide. Although the COVID-19 pandemic caused an abrupt and precipitous drop in hotel occupancy and construction, visitation is expected to return along with a demand for new hotels. When demand returns, a more uniform zoning framework for all new hotels citywide can support more predictable development and limit the extent to which a hotel use may impair the future use or development of the surrounding area. Review of the projects within the context of an area around a new hotel will result in better configuration of the hotel to minimize conflicts with adjacent uses and protect the safety of residents and hotel guests.

The proposed text amendment will create a consistent zoning framework for new hotels and allow the CPC to evaluate hotel use to ensure it does not impair the future use or development of the surrounding area.

Analytical Framework

As discussed above, the Proposed Action is a citywide text amendment that would establish a new CPC special permit for new hotels in the Area of Applicability (as defined above). Since the Proposed Action is a citywide action and has broad applicability, it is difficult to predict the universe of sites where development would be affected by the Proposed Action. For this reason, the Proposed Action is analyzed in this environmental review as a "generic action." Generic actions are programs and plans that have wide application or affect a range of

future alternative policies. Generic analyses must employ a methodology that identifies typical cases and a range of conditions, which this section seeks to do. In addition, as the citywide zoning text amendment would establish a new special permit under the jurisdiction of the CPC for new hotels, there is no new development increment associated with the Proposed Action and therefore, no projected or potential development sites. The environmental review therefore consists of an assessment of the potential effects of making hotel use subject to special permit requirements. In addition, as discussed below under **Conceptual Analysis**, as part of the EIS will be a conceptual analysis that considers whether there could be environmental impacts from a future application for hotel use that seeks the special permit.

The analytical framework is addressed through a Reasonable Worst-Case Development Scenario (RWCDs). A RWCDs is broadly defined as the potential development under both the future No-Action and With-Action conditions that is used to as the basis for analysis of the change in permitted development created by a discretionary action. The RWCDs begins with a description of “existing conditions” to establish a baseline, not against which the Proposed Action’s effects are measured, but from which future conditions can be projected. The prediction of future conditions begins with an assessment of existing conditions because these can be measured and observed. Then, using existing conditions as a baseline, conditions expected in the future without the Proposed Action are evaluated (the No-Action condition). The No-Action condition considers changes that are known or expected to be in place by the future analysis year (see **Analysis Year**, below), independent of the Proposed Action. The No-Action condition is the baseline against which the effects of the Proposed Action can be measured. The incremental difference between the No-Action condition and the With-Action condition serves as the basis for the environmental impact analyses.

Analysis Year

It is anticipated that the New York City hotel market will recover to 2019 levels by the year 2025.¹⁰ An analysis year 10 years in the future is generally considered reasonable for generic projects as it captures a typical cycle of market conditions and generally represents the outer timeframe within which predictions of future development may usually be made without speculation. Therefore, an analysis year 10 years after the projected recovery year—or 2035—was chosen in order to account for the unique market effects of the COVID-19 pandemic.

Study Area or Directly Affected Area

As discussed under **Description of the Proposed Action** above, the Proposed Action would apply to the Area of Applicability (see **Figure 3**). Any hotel existing within the Area of Applicability on the date of adoption of the Proposed Action would be considered a

¹⁰ *Travel Industry Turned Upside Down*, Joint report by McKinsey and Skift, Sept. 2020; *State of the Hotel Industry Six Months After COVID*, American Hotel & Lodging Association, Aug. 2020; McGeehan, Patrick, “Why NYC’s Recovery May Lag the Rest of the Nation,” Oct. 26, 2020, *New York Times*; Clark, Patrick, “With Prices Down by \$200, NYC Hotels Brace for More Pain,” Oct. 9, 2020, *Bloomberg News*; Kallergis, Katherine, “Hotel Owners in Big Cities Hit Major Tipping Point,” Oct. 19, 2020, *The Real Deal*; *The World Remade: Travel & Hospitality Scenarios*, Deloitte, May 2020; *For Corporate Travel, A Long Road Ahead*, McKinsey, Aug. 13, 2020

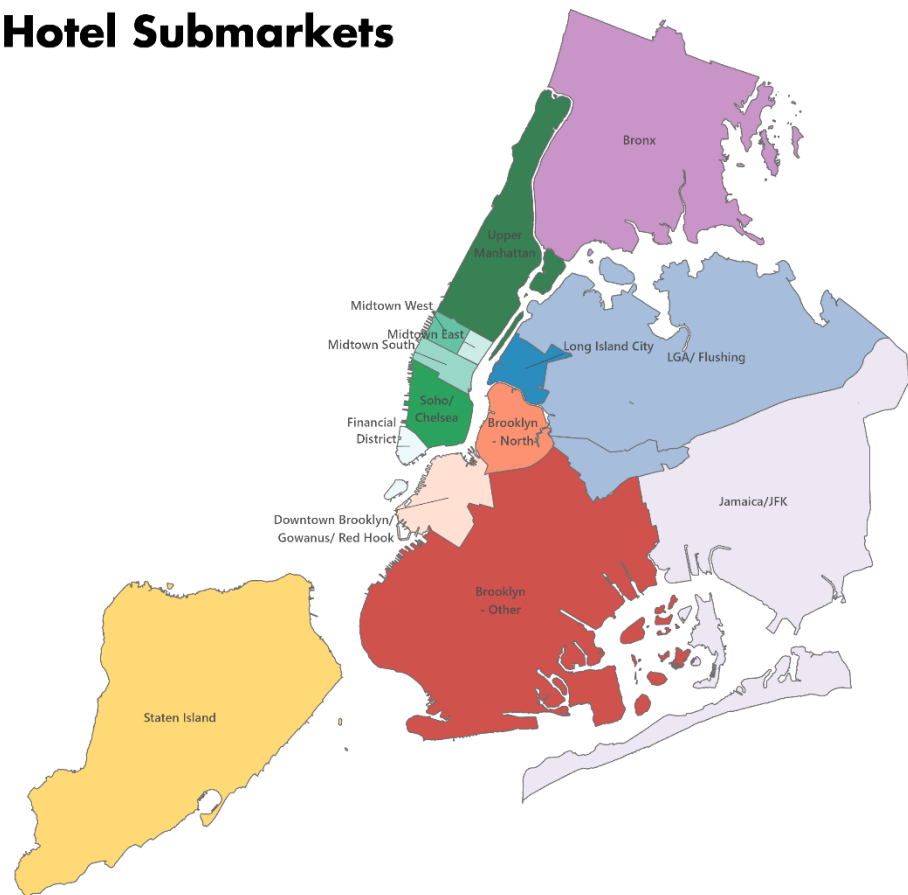
conforming use. DCP will evaluate expanding current special permit regulations regarding as-of-right enlargements and extensions of hotels existing on the date of adoption.¹¹

Existing Conditions

As discussed above, the identification of existing conditions is critical to establish a baseline, not against which the Proposed Action's effects are measured, but from which future conditions can be projected. To inform the understanding of existing conditions, DCP has engaged a socioeconomics consultant team to produce a market analysis of the City's hotel conditions in the past, current, and future context. Although this market analysis is not yet fully complete, preliminary findings are incorporated in this document where appropriate and is referred to as the preliminary Consultant Report.

The preliminary Consultant Report evaluated hotel development and tourism in New York City as a whole and in each of the five boroughs individually. Manhattan, Brooklyn, and Queens were furthermore distinguished into geographic submarkets, generally based on major existing tourism markets, or in the cases of Brooklyn and Queens, where recent hotel development clusters have arisen (see **Figure 6**). The differentiation into the various geographic submarkets was completed in order to better understand existing hotel markets and to facilitate the analysis of the potential effects of the Proposed Action.

¹¹ Enlargements and extensions as defined by the New York City Zoning Resolution

Figure 6 NYC Borough Hotel Submarkets**NYC Hotel Submarkets**

NYC Department of City Planning

Source: Preliminary Consultant Report

In Manhattan, six submarkets were defined, consisting of areas above 59th Street, Times Square, Midtown East, Midtown South, Soho/Union Square, and Financial District. Queens was divided into three submarkets consisting of Long Island City, LaGuardia/Flushing, and JFK/Jamaica. Similarly, Brooklyn consists of Downtown Brooklyn, Brooklyn North, and other areas. The entirety of the Bronx and Staten Island boroughs are defined as individual submarkets.

As described in [Error! Reference source not found.](#), there are currently 30,331 hotel rooms in the hotel pipeline. The pipeline consists of hotel projects that are (1) currently under construction and (2) in pre-construction, with hotels in pre-construction encompassing both those projects that have filed an application with the Department of Buildings and those that are in pre-application. Hotels under construction are defined as hotel developments with permits issued from Department of Buildings as of October 2020.

Table 1 Hotel Pipeline by Submarket

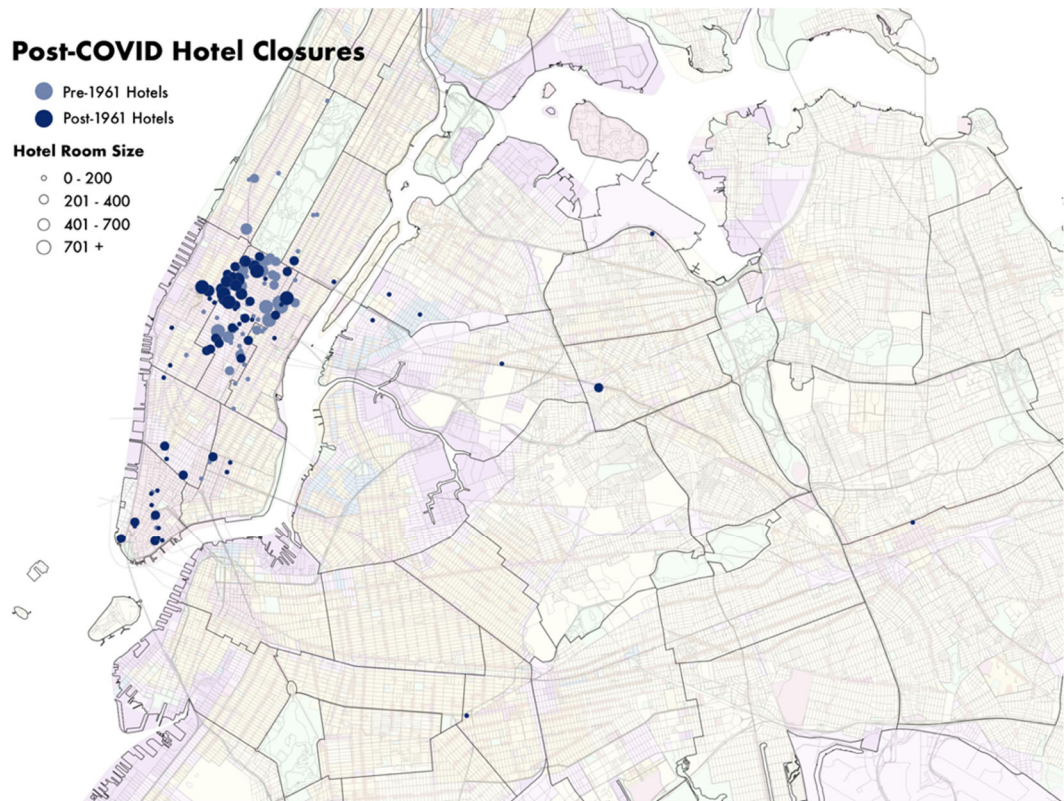
Submarket	Sum of Net Rooms	Borough Total
Bronx	2,288	2,288
Brooklyn – Downtown/Gowanus/Red Hook	1,470	6,335
Brooklyn – North	1,631	
Brooklyn – Other	3,234	
Manhattan – Financial District	2,026	
Manhattan – Midtown East	(950)	
Manhattan – Midtown South	6,247	
Manhattan – Midtown West/Times Square	2,875	11,939
Manhattan – Soho/Union Square/Village/Tribeca/Chelsea	1,295	
Manhattan – Upper East Side/Upper West Side/Harlem/Uptown	446	
Queens – Jamaica/JFK/114xx Zip Codes	3,613	9,273
Queens – LGA/Flushing/113xx Zip Codes	2,206	
Queens – Long Island City	3,454	
Staten Island	496	496
Total		30,331

Source: New York City Department of Buildings, October 2020

Impact of the COVID-19 Pandemic

According to the preliminary Consultant Report, in 2019, New York City saw a record number of tourism and hotel inventory growth. However, in March 2020, the COVID-19 pandemic struck New York City and has had a substantial, ongoing effect on its hotel market. Between January and September 2020, a net total of 135 (out of 705) hotels and 39,244 (out of 127,810) rooms closed in New York City, representing a decline of 20 and 31 percent, respectively. With 96.3 percent of these room closures occurring in Manhattan, citywide trends are driven almost entirely by the pandemic's specific impact on the Manhattan hotel market, which experienced a 37 percent loss in total rooms. As seen in **Figure 7**, the majority of hotel closures since March 2020 are in Manhattan. As of September 2020, Manhattan's share of NYC hotel rooms has fallen to 65 percent, which is down from 81 percent in January.

Queens had the second-largest impact of any borough, with a net loss of five hotels and 595 rooms, representing a four percent loss. The number of hotels and rooms in the Bronx, Brooklyn, and Staten Island remained constant between January and September 2020. However, Brooklyn experienced a shift in hotel typologies, losing some upscale rooms and adding more economy rooms. Additional details on hotel closures are provided in the preliminary Consultant Report and will be discussed in more detail in the EIS.

Figure 7 Hotel Closures as of October 2020

Source: HANYC; NYS Department of Labor WARN Notices; STR, October 2020

Current forecasts estimate the recovery of New York City's tourism sector to 2019 levels will not take place until the end of 2024 or the beginning of 2025. While typically projects in the pipeline with DOB permits are assumed to complete construction under the No-Action condition, a number of factors influence whether these projects are realized: global, national, and local economies affect hotel development decisions, trends in international and domestic tourism, the access to equity, the ease of obtaining financing, pace of pandemic recovery, and public policies. Therefore, it is difficult to determine how many of the projects in the pipeline will be completed by the 2035 build year. However, as discussed further under the No-Action condition, it is assumed that all pipeline hotels will come to market.

Future Without the Proposed Action (No-Action Condition)

This section provides an analysis of likely future conditions in New York City's hotel market without the implementation of the proposed hotel special permit.

To project hotel room demand and supply growth across the City, the preliminary Consultant Report relied on visitation and employment projection data, as well as national tourism demand trends and NYC hotel pipeline information. The analysis hypothesized that in 2025, the NYC hotel market will have fully recovered, reaching 2019 demand levels. It is expected that without the Proposed Action, the market would respond to demand increases by increasing supply until the market reaches equilibrium. Therefore, the No-Action condition assumes that, with an expected recovery in 2025, that by the 2035 build year the hotel supply in the City will grow to reach an equilibrium with market demand. Overall, it is

estimated that by 2035, the City will be in demand of 154,420 rooms across the five boroughs, regardless of existing and future supply (see **Table 2**). However, given the unique circumstances under COVID-19 with temporary and permanent hotel closures throughout the city, an analysis evaluated two scenarios to determine a range of hotel rooms that would need to be developed in order to reach market equilibrium by 2035. The first scenario is Scenario A, where all confirmed closed hotels remain out of the inventory, but all temporarily closed hotels return. The second, Scenario B, where all permanently and temporarily closed hotels as of Fall 2020 permanently close before recovery in 2025. The number of future hotel rooms expected to come to market by 2035 equals the gross future demand less existing hotels and pipeline hotels. These two scenarios provide a range of hotel rooms expected to enter the supply chain under the future No-Action condition.

The total pipeline, discussed under **Existing Conditions** above, consists of approximately 30,331 pre-construction hotel rooms (see **Table 1**). This analysis assumes that all pipeline hotels will come to market under the No-Action condition. Under Scenario A, the construction of pipeline hotel rooms in addition to existing hotel rooms would yield a supply of 153,185 rooms in 2035 before accounting for future growth not currently in the pipeline (see **Table 2**). Under Scenario B, assuming temporarily closed rooms do not reopen, the supply would be 122,287 rooms before accounting for future growth not currently in the pipeline (see **Table 2**).

Table 2 Supply and Demand Conditions through 2035

Borough	Scenario A Supply ¹	Scenario B Supply ²	Gross Future Demand		
			2025	2030	2035
Bronx	3,672	3,627	1,384	1,521	1,672
Brooklyn	13,912	13,866	7,527	8,271	9,093
Manhattan	110,440	80,406	103,730	113,980	125,312
Queens	23,890	23,072	14,394	15,816	17,389
Staten Island	1,251	1,271	775	852	936
Total, All NYC	153,185	122,287	127,810	140,440	154,420

Source: Preliminary Consultant Report; STR, 2020; HANYC, 2020; BJH, 2020; BAE, 2020

Notes:

¹ Supply as of September 2020 plus reopened and temporarily closed rooms, and pipeline hotels

² Supply as of September 2020 and pipeline hotels

Unmet demand is calculated by taking the gross future demand less the supply under each scenario. Before adjusting for expected future geographic distribution, under Scenario A, Manhattan would be short of supply and will be in need of an additional 14,872 rooms to meet demand. Under Scenario B, assuming temporarily closed rooms do not reopen, by 2035, there will be demand for 44,906 rooms in Manhattan (see **Table 2**). The supply in every other borough, in both scenarios, would meet demand by 2035. However, physical constraints may lead to hotels being developed in locations outside of Manhattan consistent with more recent trends. Hotel development trends since 2010 and prior to COVID-19 have illustrated that development is increasingly occurring at a much faster pace in the boroughs outside of Manhattan. Therefore, while future citywide demand will continue to be driven by Manhattan, new hotel room supply is expected to be more evenly distributed throughout

the city. Assuming that future supply will deliver geographically based on the distribution of hotel rooms currently in the pipeline, remaining room demand was reallocated among the boroughs to reflect the pipeline distribution and recalculated under each scenario. With this calculation, under Scenario A, by 2035, there would be approximately 1,217 new rooms expected to come to market to satisfy unmet demand after adjusting the remaining room demand (see **Table 3**). However, under Scenario B, there would be almost 32,115 rooms expected to come to market (see **Table 4**). It is expected that future growth would meet most, if not all, of the unmet hotel room demand projected for 2035 in either Scenario. Therefore, it is estimated that between 1,217 and 32,115 hotel rooms would be developed in the future No-Action condition in order to reach an equilibrium with anticipated 2035 demand.

Table 3 Residual Unmet Room Demand, Scenario A, 2025-2035

Borough	Adjusted Distribution of NYC Residual Demand, 2035 ¹	Adjusted Remaining Room Demand ²			Residual Unmet Room Demand		
		2025	2030	2035	2025	2030	2035
Bronx	7.5%	394	1,327	2,380	0	0	92
Brooklyn	20.9%	1,092	3,673	6,589	0	0	254
Manhattan	39.4%	2,058	6,922	12,418	0	0	479
Queens	30.6%	1,599	5,376	9,645	0	0	372
Staten Island	1.6%	86	288	516	0	0	20
Total, All NYC	100%	5,229	17,586	31,548	0	0	1,217

Source: Preliminary Consultant Report; New York City Planning Department, 2020; BAE, 2020

Notes:

¹ The distribution of the remaining room demand by borough is adjusted to the distribution of rooms in the construction pipeline.

² Represents the number of additional supportable rooms once existing supply and distribution of residual demand are accounted for

Table 4 Residual Unmet Room Demand, Scenario B, 2025-2035

Borough	Adjusted Distribution of NYC Residual Demand, 2035 ¹	Adjusted Remaining Room Demand ²			Residual Unmet Room Demand		
		2025	2030	2035	2025	2030	2035
Bronx	7.5%	2,705	3,657	4,711	417	1,369	2,423
Brooklyn	20.9%	7,489	10,126	13,043	1,154	3,791	6,708
Manhattan	39.4%	14,115	19,084	24,580	2,176	7,145	12,641
Queens	30.6%	10,963	14,823	19,091	1,690	5,550	9,818
Staten Island	1.6%	586	793	1,021	90	297	525
Total, All NYC	100%	35,858	48,484	62,446	5,527	18,153	32,115

Source: Preliminary Consultant Report; New York City Planning Department, 2020; BAE, 2020

Notes:

¹ The distribution of the remaining room demand by borough is adjusted to the distribution of rooms in the construction pipeline.

² Represents the number of additional supportable rooms once existing supply and distribution of residual demand are accounted for

Future With the Proposed Action (With-Action Condition)

The Proposed Action introduces a discretionary approval process by CPC special permit for hotel development within the Area of Applicability. CPC special permits generally present a

disincentive to development that previously was as-of-right, since obtaining the special permit can add significant time, cost, and uncertainty to a project. Because the Proposed Action introduces a discretionary approval process via a CPC Special Permit for hotel development citywide, DCP projects less hotel development under the With-Action condition than the No-Action condition, and accordingly, it is reasonable to assume that the proposed CPC special permit would have the effect of slowing the rate at which hotels would be developed in C and MX districts.

When the City introduces a new text amendment, with special permit provisions that would affect development, typical vesting provisions are assumed. Hotels with building permits issued at the Department of Buildings that have foundations in the ground and those that are expected to begin construction and complete foundations before the adoption of the Proposed Action would qualify for standard vesting provisions.¹² As discussed under **Existing Conditions**, hotels in the pipeline are at many different phases of development. Therefore, the With-Action condition conservatively assumes that none of the hotels in the pre-construction pipeline would vest under standard rules.

Accordingly, in the With-Action Condition, the Proposed Action would have the potential to affect those hotel rooms in the pipeline and future hotel development. As discussed in the **No-Action Condition** section above, between 1,217 and 32,115 hotel rooms would be developed in the future in order to reach an equilibrium with anticipated 2035 demand. Therefore, under the With-Action condition, up to 32,115 future hotel rooms could be affected by the special permit, slowing or hindering their development. If the 30,331 pipeline hotels are also conservatively taken into account, up to 62,446 future hotel rooms could be affected by the special permit. The effects of the Proposed Action, and whether it would result in hotels not being constructed, thereby resulting in unmet room demand, will be evaluated in the EIS. DCP will also evaluate zoning mechanisms to limit the effect of reductions in supply when visitation and hotel demand recovers. Such changes could include, but would not be limited to, the extension of the standard discontinuance and vesting provisions, and the exclusion of some known hotel projects.

Conceptual Analysis

The EIS, as noted above, will include a conceptual analysis that considers whether there could be environmental impacts from a future application for hotel use that seeks the special permit. Approval of such a special permit would be subject to discretionary approval, and any environmental impacts associated with such action would be assessed and disclosed pursuant to a separate, project-specific environmental review.

¹² The completion of foundations before a zoning change becomes effective usually determines whether a project vests.



Part II: Technical Screenings

As discussed in the *CEQR Technical Manual* (2014), CEQR requires all city agencies to determine whether discretionary actions they directly approve, fund, or undertake may significantly and adversely affect the environment. There are two broad categories of actions—localized actions, which include site-specific actions and actions that apply to small areas, and generic actions that apply to entire neighborhoods or citywide. The Proposed Action is a generic action as it would apply citywide.

Chapter 2, Establishing the Analysis Framework, of the *CEQR Technical Manual*, states that generic actions may consist of a zoning text amendment that establishes new special permit mechanisms that in turn, may require future discretionary actions as a condition of development that would be subject to further CEQR review. For this type of action, a generic environmental assessment is an important planning tool to allow the agency to identify the range of impacts that may occur and to build into the plan the appropriate mitigation, thus ensuring that future actions arising from the plan do not have the potential for significant impact, whether or not they are subject to further CEQR review.

As described in the **EAS Project Description**, the Proposed Action is a citywide zoning text amendment to establish a new special permit under the jurisdiction of the CPC for new hotels, motels, tourist cabins, and boatels¹ in C1, C2, C4, C5, C6, C8, and Mixed-Use (MX) and paired M1/R districts. As such, there is no new development increment associated with the Proposed Action and therefore, no projected or potential development sites. The environmental review therefore consists of two components: an assessment of the potential effects of making hotel use subject to special permit requirements and a conceptual analysis that considers whether there could be environmental impacts from a future application for hotel use that seeks the special permit.

Based on the **EAS Form: Part II (Technical Analysis)**, certain technical areas warranted that a preliminary screening analysis be conducted for the Proposed Action based on the guidelines presented in the *CEQR Technical Manual*, to evaluate whether further analysis of a given technical area is necessary to determine the potential for significant adverse environmental impacts. These preliminary screening analyses are provided below, and where applicable, the **Draft Scope of Work** provides information on how the topics that require further analysis will be evaluated in the Environmental Impact Statement (EIS) for the Proposed Action.

¹ The zoning definition of “motel or tourist cabin” requires that each sleeping unit have an exterior entrance, and the definition of “boatel” requires water access for boats. Since there are very few motels, tourist cabins, or boatels in New York City, and because of these limiting factors, few if any are expected to be developed in the future. This use of the term “hotel” in the EIS will, by implication, also refer to these other transient accommodations.

Technical Screenings—Assessment of Potential Effects of Making Hotel Use Subject to Special Permit

The **EAS Form: Part II (Technical Analysis)** found that the only impact categories that merited further assessment were land use, zoning, and public policy; socioeconomic conditions; natural resources; and neighborhood character because these sections had one or more impact thresholds checked “yes.” See below for technical screenings of these impact categories.

Land Use, Zoning, and Public Policy

According to the *CEQR Technical Manual*, a land use analysis is typically warranted for projects that would affect land use or change zoning on a site. 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 project is either compatible with those conditions or whether it may affect them. Similarly, the analysis considers a project’s compliance with, and effect on, the area’s zoning and other applicable public policies.

The Proposed Action is a citywide zoning text amendment to establish a new special permit under the jurisdiction of the CPC for new hotels; hotel use would no longer be an as-of-right use in any zoning district within the city. This change would not change the provisions of existing zoning districts (e.g., allowable floor area ratios, bulk provisions, parking requirements, etc.) other than to introduce the special permit for hotel uses.

The Proposed Action would not directly affect land use on any particular site across the city, and future hotel development would undergo a land use, zoning, and public policy compatibility review on a case by case basis as part of the new special permit process with the CPC. However, since the Proposed Action would affect zoning citywide, an assessment of land use, zoning and public policy is warranted and will be provided in the EIS (see **Draft Scope of Work**).

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 an area.

According to the *CEQR Technical Manual*, the principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement due to increase rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on a specific industry. The *CEQR Technical Manual* identifies the following thresholds for an analysis of socioeconomic conditions: whether a project would directly displace more than 500 residents or 100 employees; introduce more than 200 residential units or more than 200,000 sf of commercial space; or effect a specific industry.

The Proposed Action would not result in new development and therefore would not result in direct or indirect displacement from the introduction of new uses that could lead to displacement (e.g., more than 200 residential units or more than 200,000 sf of locally-serving or regional-serving retail on a single development site).

The *CEQR Technical Manual* identifies the need to analyze the potential for a Proposed Action to result in effects on a specific industry. The *CEQR Technical Manual* asks two questions to evaluate whether a detailed investigation of adverse effects on specific industries is warranted:

- › Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?
- › Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?

The Proposed Action has the potential to affect business conditions in the hotel industry (or a submarket of the hotel industry) by requiring new hotels to seek a special permit. Therefore, a socioeconomic analysis of the Proposed Action's potential to affect a specific industry is warranted (see **Draft Scope of Work**).

Natural Resources

For CEQR purposes, 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.

The Proposed Action would not result in new development, and therefore, the Proposed Action would not result in significant adverse environmental impacts related to natural resources. The potential for new hotels seeking a special permit to affect natural resources would be evaluated on a case by case basis as part of the required environmental review for the new special permit. Therefore, further assessment of natural resources is not warranted. However, a Jamaica Bay Watershed form has been completed because the Proposed Action could affect parcels in the watershed in the future (see attached **Jamaica Bay Watershed Protection Plan Form**).

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.

The Proposed Action would not result in new development. The potential for new hotels seeking a special permit to affect neighborhood character would be evaluated on a case by case basis as part of the required environmental review for the new special permit. However, since the Proposed Action would affect zoning citywide, and since an analysis of land use, zoning, and public policy as well as socioeconomic conditions is warranted, two of the technical areas considered in a neighborhood character analysis, the EIS will consider the Proposed Action's potential to affect neighborhood character (see **Draft Scope of Work**).

Jamaica Bay Watershed Protection Plan Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor's Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed (http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.

A. GENERAL PROJECT INFORMATION

1. CEQR Number: 1a. Modification ☐
2. Project Name:
3. Project Description:

The Department of City Planning proposes a citywide zoning text amendment to establish a new special permit under the jurisdiction of the CPC for new hotels, motels, tourist cabins, and boatels in C1, C2, C4, C5, C6, C8 and Mixed-Use districts (MX) and paired M1/R districts.
4. Project Sponsor:
5. Required approvals:
6. Project schedule (build year and construction schedule):

B. PROJECT LOCATION:

1. Street address:
2. Tax block(s): Tax Lot(s):
3. Identify existing land use and zoning on the project site:
4. Identify proposed land use and zoning on the project site:
5. Identify land use of adjacent sites (include any open space):
6. Describe existing density on the project site and the proposed density:

Existing Condition	Proposed Condition
N/A	N/A
7. Is project within 100 or 500 year floodplain (specify)? ☐ 100 Year ☐ 500 Year ☐ No

C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet):
2. Will soil be removed (if so, what is the volume in cubic yards)?
3. Subsurface soil classification:
(per the New York City Soil and Water Conservation Board):
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)? ☐ Yes ☒ No
Volumes: Rates:
6. Will project involve dewatering (list volumes/rates)? ☐ Yes ☒ No
Volumes: Rates:
7. Describe site elevation above seasonal high groundwater:

D. HABITAT

1. Will vegetation be removed, particularly native vegetation? ☐ Yes ☒ No
If YES,
 - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
 - **List** species to remain on site.
 - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species? ☐ Yes ☒ No
3. Will the project affect habitat characteristics? ☐ Yes ☒ No
If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at <http://www.dec.ny.gov/animals/29392.html>.
4. Will pesticides, rodenticides or herbicides be used during construction? ☐ Yes ☒ No
If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed? ☐ Yes ☒ No
If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. Surface area:		
Roof:	N/A	N/A
Pavement/walkway:	N/A	N/A
Grass/softscape:	N/A	N/A
Other (describe):	N/A	N/A
2. Wetland (regulated or non-regulated) area and classification:	N/A	N/A
3. Water surface area:	N/A	N/A
4. Stormwater management (describe):		
Existing – how is the site drained?	N/A	
Proposed – describe, including any infrastructure improvements necessary off-site:	N/A	