Zoning for Coastal Flood Resiliency
Chapter 17: Noise

A. INTRODUCTION

This chapter assesses the potential for the Proposed Action to result in significant adverse noise impacts. The analysis determines whether the Proposed Action could result in increases in ambient noise levels that could adversely affect nearby sensitive receptors or on the Prototypical Analysis Sites. The following noise analysis was conducted in accordance with the guidance provided in the 20202~~14~~ *City Environmental Quality Review* (CEQR) *Technical Manual*.

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

Due to the broad applicability of the Proposed Action, it is difficult to predict the future developments that may be affected by the proposed zoning text changes. In addition, the Proposed Action is not expected to induce development where it would not otherwise have otherwise occurred absent the Proposed Action. Although the Proposed Action may allow developments and existing buildings to retrofit to resilient standards, the overall amount, type, and location of construction is not anticipated to change. Owing to the generic nature of this action, there are no known or projected as-of-right development sites identified as part of the Proposed Action's Reasonable Worst-Case Development Scenario (RWCDS). To produce a reasonable analysis of the likely effects of the Proposed Action, 14 representative Prototypical Analysis Sites containing either new developments, infill, reconstructions, or retrofits of existing buildings in the city's 1% and 0.2% annual chance floodplains were identified to demonstrate the wide range of proposed regulations for sites that would be able to develop as-of-right in the future with the Proposed Action, as detailed further in **Chapter 1**.

B. PRINCIPAL CONCLUSIONS

The Proposed Action would not result in any significant adverse noise impacts. The Proposed Action would not result in any significant changes in transportation or travel patterns that would affect ambient noise. Incremental development for both the 1% annual and 0.2% annual chance floodplains at each of the Prototypical Analysis Sites would not affect the development density for dwelling units (DUs) or commercial uses requiring a detailed transportation analysis or have the resulting effects on ambient noise conditions from mobile sources. Additionally, any changes in building configuration in the future with the Proposed Action would not affect exposure to emissions from surrounding noise generators. For these reasons, it is concluded that no further analysis is needed and the Proposed Action would not result in significant adverse noise impacts.

C. PRELIMINARY SCREENING

As noted above, **Chapter 1, "Project Description,"** identifies 14 representative sites to demonstrate how the proposed regulations would apply to sites that could be developed as-of-right in the With-Action scenario. Similar to other chapters of this document, these 14 Prototypical Analysis Sites were used to assess the potential for the Proposed Action to result in significant transportation impacts. A RWCDS (detailed above) was developed for the future without the Proposed Action (No-Action condition) and the future with the Proposed Action (With-Action condition) in both the 1% annual and 0.2% annual chance floodplains, and the incremental difference between No-Action and With-Action conditions for both the 1% annual and 0.2% annual chance floodplains was used as the basis for assessing the potential noise impacts of the Proposed Action.

Tables 14-1a and **14-1b** in **Chapter 14 "Transportation"** compare the No-Action and With-Action scenarios for both the 1% annual and 0.2% annual chance floodplains for the 14 Prototypical Analysis Sites. The Proposed Action would result in a total incremental change of no DUs and an incremental increase of approximately 2,200 square feet (sf) of commercial retail space in the 1% annual chance floodplain. In the 0.2% annual chance floodplain, the Proposed Action would result in a total change of no incremental DUs with an incremental decrease of approximately 365 sf of commercial retail space. The net increment between the No-Action and With-Action scenarios would not exceed the CEQR thresholds that trigger mobile or stationary noise analyses and are well below the *CEQR Technical Manual* thresholds outlined in Chapter 19, Section 210: "Mobile Sources," and Section 220: "Stationary Sources". The net increment between the No-Action and With-Action scenarios would therefore not result in vehicle trip generation that increases local traffic volumes by 100 percent or more, which is the *CEQR Technical Manual* guide for determining if additional noise from mobile sources increases ambient noise levels by three dBA or more. Since the Proposed Action would not exceed the thresholds referenced in the *CEQR Technical Manual* for a quantified noise assessment, no further analysis is required. Therefore, based on *CEQR Technical Manual* guidance, since the relevant thresholds are not exceeded, the Proposed Action would therefore not result in any significant noise impacts.

Any stationary noise sources associated with structures developed under the Proposed Action, including their building mechanical systems (i.e., heating, ventilation, and air conditioning [HVAC] systems), would need to be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code, the New York City Department of Buildings [DOB] Code) and the Proposed Action would not result in any increases in ambient noise levels. Therefore, it is concluded that the Proposed Action would not result in any significant adverse noise impacts related to building mechanical equipment noise emissions, and no further analysis of potential stationary source noise impacts is warranted.

D. CONCLUSIONS

Since the Proposed Action would not exceed the thresholds referenced in the *CEQR Technical Manual* for noise analyses, no additional analysis is required, based on *CEQR Technical Manual* guidance. Additionally, since the relevant CEQR thresholds are not exceeded, it is concluded that the Proposed Action would also not result in any significant adverse noise impacts.