



## Community Board 12 - Manhattan Washington Heights & Inwood

530 West 166<sup>th</sup> St. 6<sup>th</sup> Floor, New York, NY 10032

Phone: (212) 568-8500, Fax: (212) 740-8197

Katherine Diaz, Chairperson  
Ebenezer Smith, District Manager

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June 28, 2023

Hon. Dan Garodnick, Director  
The Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271

Re: Resolution Supporting the City of Yes for Carbon Neutrality Zoning Text Amendment.

Dear Director, Garodnick:

At the General Meeting on Tuesday, June 27<sup>th</sup>, 2023, Community Board 12, Manhattan, passed the following resolution with a vote of 38 in favor, 0 opposed, 0 abstentions, and 0 not voting, supporting the City of Yes for Carbon Neutrality Zoning Text Amendment proposed by the Department of City Planning and the Mayor's Office of Climate and Environmental Justice, and urging the Department of City Planning and other city agencies with jurisdiction to carefully monitor the implementation of the changes to the Zoning Resolution to ensure that projects undertaken according to these changes live up to their intent.

Whereas: The New York City Department of City Planning ("DCP") in collaboration with the Mayor's Office of Climate and Environmental Justice has proposed a citywide amendment to the New York City Zoning Resolution (the "Zoning Resolution") entitled the City of Yes for Carbon Neutrality (the "Proposed Action", "Zoning Text Amendment N230113ZRY" or the "Zoning Text Amendment") to remove impediments to and expand opportunities to decarbonize projects within all zoning districts and across all 59 City Community Districts. The Proposed Action is a crucial step for the city to meet its ambitious climate goals by alleviating regulatory burdens to allow for the creation of a more resilient and sustainable city. The Zoning Text Amendment was released for public review on May 2, 2023. The review period ends on July 3, 2023; and

Whereas: In 2012 DCP proposed a set of sustainability-related zoning changes entitled "Zone Green" to remove impediments to the implementation of solar, wind, and electric-vehicle charging infrastructure. In 2016 New York City introduced a roadmap for reducing the emission of climate-change-causing greenhouse gas emissions and achieving carbon neutrality by 2050. In 2019 the New York City Council enacted the Climate Change Mobilization Act which includes Local Laws 92 and 94, requiring green roofs or solar photovoltaic arrays on newly constructed buildings and major roof renovations, and Local Law 97 which requires buildings that are 25,000 square feet or larger to meet energy efficiency and greenhouse-gas emission thresholds. In response, DCP developed the Zoning Text Amendment to remove impediments to high-performing building retrofits, decarbonization retrofit projects,

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solar energy, electric vehicle charging, energy storage systems, and other measures to help the City to achieve its climate goals; and

Whereas: The Zoning Text Amendment includes several proposals (the "Proposals") to support efforts to decarbonize the City's energy grid, buildings, vehicles, and waste streams; and

Whereas: The Proposals to decarbonize the energy grid would broadly allow for the distributed generation of wind and solar energy as well as storage of the energy generated. These Proposals include:

1. Removing zoning impediments to rooftop solar installations
2. Removing zoning impediments to allow solar canopies over parking lots
3. Ensure stand-alone solar generation installations are allowed
4. Add new tools for the City Planning Commission to consider future applications for offshore wind generation projects
5. Add new rules to allow for energy storage in a wide range of zoning districts; and

Whereas: The Proposals to decarbonize the City's building stock would support retrofitting buildings to become energy-efficient and electrified. These Proposals include:

1. Expanding rooftop and yard allowances to accommodate the increased need for outdoor electrified equipment, such as heat pumps
2. Revised existing rules to ensure that the widest range of exterior retrofits is allowed
3. Update and improve current Zone Green floor area ratio (FAR) exemptions to ensure that it continues to promote "better than code" performance; and

Whereas: The Proposals to decarbonize vehicles would support the growth of electric vehicle adoption, biking, and e-mobility by removing limits on where infrastructure can be placed. These Proposals include:

1. Allowing vehicle charging in all commercial districts
2. Allowing a percentage of accessory residential parking spaces to be used for the storage and charging of private electric vehicles
3. Streamline rules related to car-sharing, car-rental, and commercial parking
4. Expand rules to encourage more automated and more space-efficient parking facilities
5. Add rules to create allowances for public bicycle parking; and

Whereas: The Proposals to decarbonize the City's waste stream would support other efforts to grow composting and rainwater collection. These Proposals include:

1. Clarify language to ensure that permeable paving is allowed
2. Update street tree planting rules to accommodate new prototypes such as rain gardens, bioswales, and connected tree beds
3. Add new use regulations to clarify where composting and recycling facilities are allowed
4. Simplify the approval process to allow as-of-right, rooftop greenhouse construction for sustainable food production; and

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Whereas: Community Board 12-Manhattan ("CB12M") has adopted several resolutions that address climate and sustainability such as the 2012 resolution supporting DCP's Green Zone text amendment, the 2012 resolution supporting revisions to the City's Waterfront Revitalization Program, the 2017 resolution requesting the implementation of zoning regulation to protect solar access, the 2019 resolution commenting on the Zoning Text Amendment for Flood Resiliency, and the 2019 resolution supporting revisions to the Waterfront Edge Design Guidelines; and

Whereas: Representatives of DCP presented the Zoning Text Amendment to CB12-M's Land Use Committee at its regularly scheduled meeting held on June 7, 2023. The Zoning Text Amendment would clarify and update zoning regulations about a range of decarbonization measures necessary for the City to achieve its climate and sustainability goals and would provide greater flexibility to building owners to implement projects required by the various local laws enacted by the City; now, therefore, be it

Resolved: Community Board 12-Manhattan supports the City of Yes for Carbon Neutrality Zoning Text Amendment proposed by the Department of City Planning and the Mayor's Office of Climate and Environmental Justice and urges the Department of City Planning and other city agencies with jurisdiction to carefully monitor the implementation of the changes to the Zoning Resolution to ensure that projects undertaken under these changes live up to their intent.

Sincerely,



Katherine Diaz

Chairperson

cc:

Hon. Eric Adams, Mayor

Hon. Mark Levine, Manhattan Borough President

Hon. Jumaane Williams, Public Advocate

Hon. Brad Lander, Comptroller

Hon. Adriano Espaillat, Congressman

Hon. Cordell Cleare, State Senator

Hon. Robert Jackson, State Senator

Hon. Alfred Taylor, Assembly Member

Hon. Manny De Los Santos, Assembly Member

Hon. Carmen De La Rosa, Council Member

Hon. Shaun Abreu, Council Member