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**The City of New York
Community Board 8 Manhattan**

January 31, 2024

Daniel R. Garodnick, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: City of Yes for Economic Opportunity Text Amendment (N240010ZRY)

Dear Chair Garodnick,

At the Full Board meeting of Community Board 8 Manhattan held on Wednesday, January 24, 2024, the board approved the following resolution by a vote of 38 in favor, 3 opposed, 1 abstention, and 0 not voting for cause:

WHEREAS, Community Board 8 Manhattan (CB8M) has conducted a comprehensive review and engaged in discussions with relevant city agencies regarding the City of Yes for Economic Opportunity (“COYEO”) zoning text amendment and engaged a land use and zoning expert to assist us in our review of COYEO;

WHEREAS, COYEO comprises 18 proposals of varying objectives, impact levels, and clarity, necessitating careful consideration and potential modifications;

WHEREAS, Community Board 8 Manhattan believes that in light of the sheer volume of COYEO changes and their complexity, the review period for COYEO should have been longer;

WHEREAS, COYEO proposes a myriad of changes to special zoning districts, in general but is not structured to accept comments to address the uniqueness of certain special districts which deeply concerns Community Board 8; we wish to make sure that these proposals do not have the effect of changing the unique character of our special districts, particularly the Special Madison Avenue Preservation District, and we request that the Department of City Planning engage in additional discussions with Community Board 8, our neighborhood groups, and our district’s City Councilmembers to address our concerns and related possible modifications to the COYEO proposals;

WHEREAS, with respect to COYEO proposal number 8 regarding Life Sciences, Community Board 8 Manhattan would request that if it is enacted despite our “no” that the text amendment specifically acknowledge and respect the existing restrictive declaration with respect to the New York Blood Center re-zoning;

WHEREAS, with respect to COYEO proposal number 16, while Community Board 8 Manhattan does not believe this proposal is right for our district, and disapprove its application in Community District 8, we recognize that it might be more appropriate for other parts of the city. DCP has explained that it was developed with other areas in mind, and do not object to it being proposed or implemented specifically for those areas rather than city-wide;

THEREFORE, BE IT RESOLVED that Community Board 8 Manhattan expresses its **unqualified favorable “yes” opinion** for the following proposals of COYEO zoning text amendment:

- (2) **Simplify District Types**
- (6) **Use Terms**; additionally, we recommend that the term “Uses” be amended to specifically add shelters and safe havens and identified to the appropriate use group.
- (13) **Auto repair**
- (18) **New Loft-style district**;

BE IT FURTHER RESOLVED that Community Board 8 Manhattan expresses its **conditional favorable “yes” opinion** of the following proposals of COYEO zoning text amendment, contingent on the incorporation of the following modifications:

- (3) **Small-scale Production**: Conditional upon such use to the extent sited on the ground floor store front of a commercial district, it must also contain a retail component;
- (7) **Urban Agriculture**: Conditional upon (a) establishing (i) regulations to ensure minimum negative environmental impacts, including odors, rodents, and other negative impacts such as guardrails for water use and (ii) creation and maintenance of a specific and adequate enforcement team and meaningful enforcement of such regulations, and (b) such use only being permitted in commercial or manufacturing zones, and not in residential zones or mixed buildings in any zone.
- (9) **Nightlife**: Conditional upon (a) exclusion of special districts (including the Special Madison Avenue Preservation District) from the changes and (b) establishing adequate regulations to ensure mitigation of environmental impacts for surrounding neighbors, including, hours of operation, noise levels, and traffic (both vehicular and pedestrian), with an adequately staffed enforcement team and meaningful fines and penalties for non-compliance;
- (10) **Amusement**: Conditional upon the removal of the BSA special permit (ZR 73-181) and the CPC special permit (ZR 74-181) that would permit waivers of the proposed underlying size and supplementary use regulations with respect to indoor amusements; and “no” to outdoor amusements being permitted to be sited anywhere other than where they are in accordance with the current zoning resolution;
- (14) **Micro-distribution**: Conditional upon (a) such locations only being sited on avenues other than Fifth, Madison, and Park Avenues and not side streets, (b) not being permitted in special districts, and (c) the establishment of regulations to address sidewalk capacity (prohibitions on pallets and vehicles on the sidewalk) and vehicular traffic directly in front of the micro-distribution location, noise levels during quiet hours, the appearance of the storefront and other logistical impacts within residential neighborhoods, together with the establishment of an adequately staffed enforcement team and meaningful fines and penalties;

BE IT FURTHER RESOLVED that Community Board 8 Manhattan expresses its **“no” unfavorable opinion** of the following proposals of COYEO zoning text amendment as follows:

- (1) **Reactivate Storefronts** (in addition, we would like the City to conduct a survey in the districts where there is currently no time limit on reactivation as to the effects, if any, on vacancies)
- (4) **Loading Docks**
- (5) **Upper Floor Commercial**
- (8) **Life Sciences**

- (11) **Home Occupations**
- (12) **Streetscape**; Community Board 8 Manhattan further requests that if this proposal is implemented, that it exclude special districts (including the Special Madison Avenue Preservation District) from the changes and (b) permit street abutting ground floor apartments, provided that there is appropriate provision for windows and ambient lighting of the streetscape (of the same type that is required by commercial businesses);
- (15) **Campus Commercial**
- (16) **Corner Stores**
- (17) **Better Waiver Process**

Please advise our office of any action taken on this matter.

Sincerely,

Valerie S. Mason

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Chair

cc: Honorable Kathy Hochul, Governor of New York
Honorable Eric Adams, Mayor of the City of New York
Honorable Mark Levine, Manhattan Borough President
Honorable Jerry Nadler, 12th Congressional District Representative
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable José M. Serrano, NYS Senator, 29th Senatorial District
Honorable Edward Gibbs, NYS Assembly Member 68th Assembly District
Honorable Alex Bores, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District
Honorable Keith Powers, NYC Council Member, 4th Council District
Honorable Julie Menin, NYC Council Member, 5th Council District
Honorable Diana Ayala, NYC Council Member, 8th Council District