

Queens Borough President Recommendation

APPLICATION: City of Yes: Zoning for Economic Opportunity (M-Districts)
COMMUNITY BOARD: Citywide

DOCKET DESCRIPTION

ULURP #N240011 ZRY– IN THE MATTER OF an application submitted by The NYC Department of City Planning for a citywide zoning text amendment to add new Manufacturing (M) district options to the City's Zoning Resolution. These new zoning tools remove impediments to business location and growth within M Districts by providing a wider range of available densities than the current M districts allow, updated bulk regulations that enabling more loft-like physical typologies, and right-sizing parking/loading regulations.

PUBLIC HEARING

A Public Hearing was held by the Queens Borough President both in the Borough President's Conference Room at 120-55 Queens Boulevard, Kew Gardens NY 11424 and via Zoom webinar and livestreamed on www.queensbp.org on Thursday, January 11, 2024 at 9:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There was one speaker. The hearing was closed.

CONSIDERATION

Subsequent to a review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

- The Department of City Planning (DCP) is proposing a zoning text amendment to change use regulations, loading requirements, and urban design, as well as the introduction of new actions and zoning districts for future mapping in manufacturing districts. The text amendment introduces new zoning sub-districts, such as M3A "Core" districts for industrial expansion, M2A "Transition" districts for redevelopment and M1A "Growth" districts;
- There is a concurrent zoning text amendment certified at the same time as Zoning for Economic Opportunity (M-Districts) called "Zoning for Economic Opportunity" (ULURP #N240010 ZRY), which aims to make it easier for businesses to find space and grow, reduce barriers, enhance neighborhoods, and create new opportunities for local businesses;
- The proposed amendment emphasizes updates for definitions and allowances in Manufacturing zoning districts through roughly fifteen (15) sections in the Zoning Resolution. Actions proposed include outlining the intent of Manufacturing Districts and modifying the description of the M2 Manufacturing District to align with permitted uses in the new M2A district (ZR 41-00); indicating that M2A districts now allow community facility uses (ZR 41-12); enhancing non-industrial uses in M districts, including retail, amusement, and community facilities. M3A and M2A districts would then restrict non-industrial uses based on FAR instead of size (ZR 42-36); outlining bulk regulations for Manufacturing Districts that would feature an expanded FAR spectrum, and adopt a loft-like building similar to those in the Gowanus neighborhood of Brooklyn (ZR 43-00); allowing specific uses in M2A and M3A districts to have a higher maximum FAR than other permitted uses (ZR 43-131); encompassing various M1A districts with FARs ranging from 2.0 to 15.0, and suggesting a range of FARs from 2.0 to 5.0 for a combination of M2A and M3A districts (ZR 43-132); permitting the use of the public plaza floor area bonus in M1A Districts (ZR 43-14); permitting taller floors in rear yards for M1A, M2A, and M3A districts, similar to the Gowanus District (ZR 43-23); permitting M1A, M2A, and M3A districts to have shallower rear yards (ZR 43-26); exempting lots in M1A, M2A, and M3A districts from rear yard requirements (ZR 43-28); permitting buildings in M1A, M2A, and M3A districts to be closer to the side lot line when adjacent to Residence Districts (ZR 43-303); introducing height and setback rules for M1A, M2A, and M3A Districts (ZR 43-46); and outlining parking and loading regulations for Manufacturing Districts (ZR 44-00, 44-21, and 44-52);
- The Department of City Planning made presentations to Queens Community Boards on various dates from November 2023 to January 2024. Each presentation largely centered on the main "Zoning for Economic Opportunity" text amendment. Community Boards 1, 4, 5, 7, 8, 9, 11, 12 and 13 all voted in opposition to ULURP #240010 ZRY, though it should be noted that Community Board 1 did vote in favor of ULURP #240011 ZRY; Community Board 6 voted to conditionally approve and Community Board 10 voted to approve both text amendments. Community Boards 2 and 14 had not uploaded an official recommendation to the NYC Zoning Applications Portal (ZAP) by the time the Borough President's Recommendation was written. Reasons for opposing the text amendments included the limitation of Community Board and elected officials voices over future projects; and decreased quality of life with new and numerous commercial activity that may be allowed in residential areas. Community Boards that approved or conditionally approved the text amendments felt the proposals were overall consistent and appropriate;

- At the Borough President's Land Use Public Hearing, the applicant made a presentation on the proposed text amendment. The Borough President asked the Applicant about the newly proposed manufacturing districts, and how these districts may or may not permit housing. The Applicant replied that these new "core" districts are meant to encourage both manufacturing and residential spaces (where appropriate) as buffer zones around more core-industrial areas that would preclude housing but preserve jobs. One speaker, the Community Board 5 Land Use Committee Chair, testified against the zoning text amendments, and the hearing was closed;
- The Borough President's Office has received fifteen (15) letters of written testimony about Zoning for Economic Opportunity, fourteen (14) of which testified against and one (1) testified in favor of the zoning text amendments.

RECOMMENDATION

Based on the above consideration, I hereby recommend approval with the following conditions:

- Throughout the remaining ULURP process, DCP should periodically send all compiled resources on this zoning text amendment to all Queens Community Boards; and
- For future citywide zoning text amendments, DCP should consider creating an interactive tool that the general public can use to "test" out various land use scenarios. Because these zoning text amendments can be dense, even with static resources, it is important that all members of the public (including Community Board members) may work through scenarios that impact their daily lives.



PRESIDENT, BOROUGH OF QUEENS

01/23/2024

DATE