

April 8, 2024

**Testimony on Non-ULURP Application No. N 240010 ZRY– City of Yes for Economic Opportunity and No. N 240011 ZRY – City of Yes for Economic Opportunity – M-Districts By NYC Department of City Planning**

Good morning, Chair Riley. Thank you for the opportunity to testify today on the City of Yes for Economic Opportunity proposal. The changes contained in this proposal would bring the zoning regulations that impact our city’s businesses, of all types and sizes, into the twenty-first century. Many existing zoning regulations that stifle entrepreneurship today were first introduced to our Zoning Resolution in 1961 when our economy did not include things like small-scale clean production facilities and a robust life sciences landscape. We should not allow the narrow scope of commercial land uses in 1961 to prohibit us from having a city where businesses can grow, evolve, and thrive. The past few years have dealt significant blows to the brick-and-mortar retail sector, leading to vacancies that affect both our economic vitality and residents’ quality of life, especially in Manhattan, where we’ve seen a stunning 16.2% ground floor retail availability rate in premier retail corridors in Q4 2023<sup>1</sup>. This proposal will clear the hurdles that keep our businesses from growing and locating in many parts of our city, bringing jobs and vitality to our neighborhoods.

COY Economic Opportunity will update our use groups – a section of the Zoning Resolution that’s so old that it references typewriter repair shops and “shoddy” manufacturing. It will make it easier for businesses to understand where they’re allowed to be located; it will make it easier for small shops to provide complimentary services; it will streamline waiver and permitting processes, reducing barriers to entry, and accommodating expansions. For the life sciences industry, COY Economic Opportunity would expand the number of spaces in which these businesses can locate. I’m especially excited about this piece of the proposal, because life sciences hold such promise for the City of New York, and it’s important that we attract businesses in that sector – and the good-paying jobs they bring with them. And in our increasingly remote work society, this proposal will grant sensible allowances for people to run small businesses from their homes.

Importantly, COY Economic Opportunity would do all of these things while also requiring businesses to meet stringent environmental requirements regarding noise, emissions, and the density of their uses. These proposals also include streetscape and other design requirements to ensure that any actions taken under these new provisions enhance and maintain neighborhood character and scale.

I appreciate the modifications made by the City Planning Commission after receiving input from the public, community boards, and City agencies, which include restricting upper-floor commercial allowances to spaces not used for existing residential units and maintaining a 1,000 square footage cap for home occupations – both changes that will ensure that our housing stock is protected and isn’t competing with businesses for space. In my ULURP recommendation, I

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<sup>1</sup> <https://mktgdocs.cbre.com/2299/f4302ac3-172b-4575-8dd6-2e234e3ba4c6-1112800156.pdf>

noted the need to establish a system similar to the Mediating Establishment and Neighborhood Disputes (MEND) initiative to resolve issues between neighbors when it comes to at-home occupations. I also suggested that the zoning text require that manufacturing buildings still provide ample access to loading docks for manufacturing tenants. I believe that addressing these additional concerns will help ensure that COY Economic Opportunity is implemented successfully throughout the city.

Thank you for the opportunity to testify today. I encourage the Council to approve this zoning text amendment, with these modifications, and to continue working to ensure that New York City remains a competitive global city for burgeoning industries, and a place where mom and pop shops can thrive, keeping our retail corridors safe, vibrant parts of our neighborhoods.



Mark Levine  
Manhattan Borough President