

city of **yes**

**for Economic
Opportunity**

Proposal Overview

October 30, 2023



city of **yes**

“We are going to turn New York into a **City of Yes** — yes in my backyard, yes on my block, yes in my neighborhood,”

"These proposals focused on economic recovery, affordable housing, and sustainability will remove red tape for small businesses, expand housing opportunities in every neighborhood, and accelerate the transition to our energy future. New Yorkers are not going to wait around while other cities and other countries sprint towards a post-pandemic world, and now we won't have to."

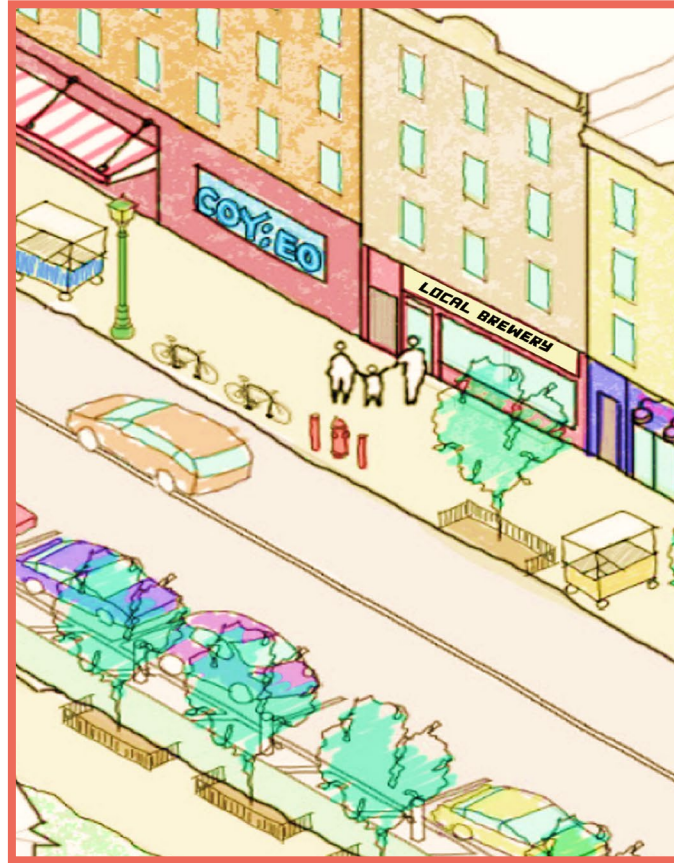
-Mayor Eric Adams



How does zoning affect businesses in NYC neighborhoods?



Where can I open my business?



What can I do in my space?



Where can I expand?



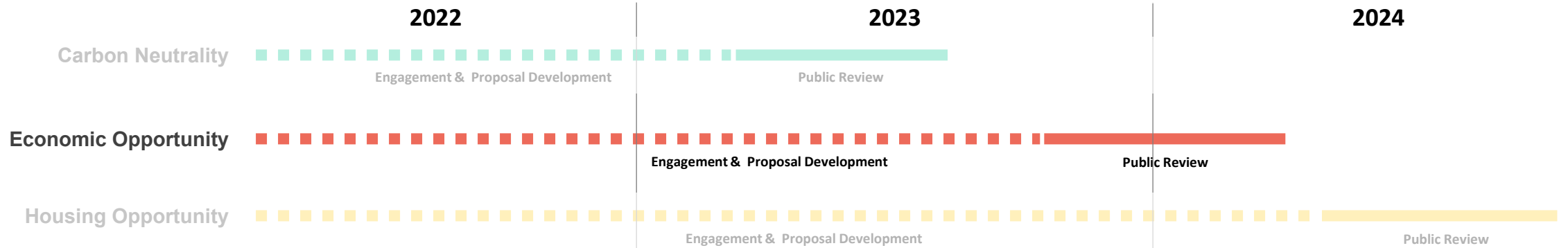
for Carbon Neutrality
Expanding opportunities for decarbonization projects



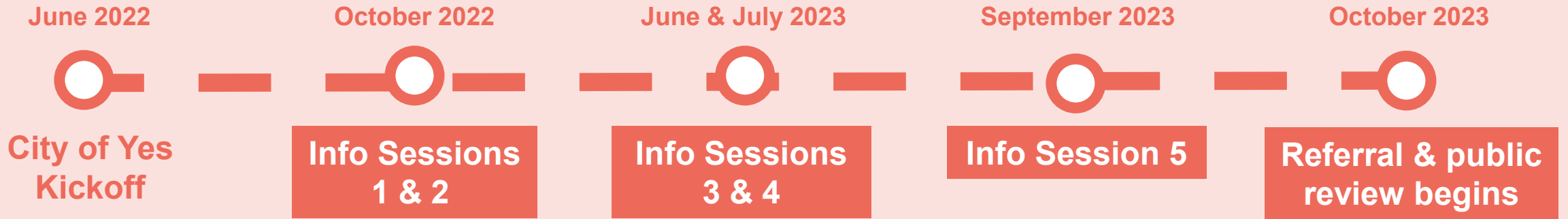
for Economic Opportunity
Growing jobs and small businesses with more flexible zoning



for Housing Opportunity
Ensuring all neighborhoods are meeting the need for housing opportunities



Engagement process to date



Initial stakeholder outreach


Collaboration with advocates and practitioners

to date:


Five open-to-the-public pre-referral info sessions

Meetings with **100+** stakeholder organizations


Zoning often presents a barrier to opening, operating, and expanding a business in NYC




There are way too many storefront vacancies. Can't we do something?




If I don't bother anyone, why can't I start a business in my home?




I have so many new customers. Please let me expand my bakery.



I'm confused: can I do my critical life sciences work in New York City or not?



Why does the City not allow me to have my office on the 2nd floor?



A comedy night would be a great addition to my restaurant.

City of Yes for Economic Opportunity: Goals

Goal 1:

Make it easier for businesses to find space and grow

Lift barriers so businesses can be closer to their customers.

Goal 2:

Boost growing industries

Reduce obstacles for new types of businesses.

Goal 3:

Enable more business-friendly streetscapes

Deliver active, safe, and walkable streets for businesses and residents

Goal 4:

Create new opportunities for businesses to open

Establish new zoning tools to boost job growth and business expansion

Summary of proposals

Goal 1

Make it easier to find space and grow

1. **Lift time limits** to reactivating vacant storefronts
2. **Simplify rules** for business types allowed on commercial streets
3. Expand opportunities for **small-scale clean production**
4. Modernize **loading dock** rules so buildings can adapt over time
5. Enable commercial activity on **upper floors**
6. **Simplify and modernize** how businesses are classified in zoning

Goal 2

Support growing industries

7. Clarify rules to permit indoor **urban agriculture**
8. Give **life sciences** companies more certainty to grow
9. **Support nightlife** with common-sense rules for dancing and live entertainment
10. Create more opportunities for **amusements** to locate
11. Enable entrepreneurship with modern rules for **home-based businesses**

Goal 3

Foster vibrant neighborhoods

12. Introduce **corridor design rules** that promote better activate ground floors
13. Reduce conflicts between **auto repair** shops and pedestrians
14. Encourage safe and sustainable deliveries with **micro-distribution**

Goal 4

New opportunities for businesses

15. Facilitate **local commercial space** on residential campuses
16. Create process for allowing **corner stores** in residential areas
17. Rationalize **waiver process** for adapting spaces for industries like film
18. Create **new kinds of zoning districts** for future job hubs

Goal 1

Make it easier for businesses to find space and grow



1. Reactivate storefronts

Allow closed storefronts in residential areas to reopen



2. Simplify district types

Update use rules to make it possible for businesses to open up in neighborhoods with similar zoning districts



3. Enable more small-scale production

Allowing small clean manufacturing businesses in commercial areas



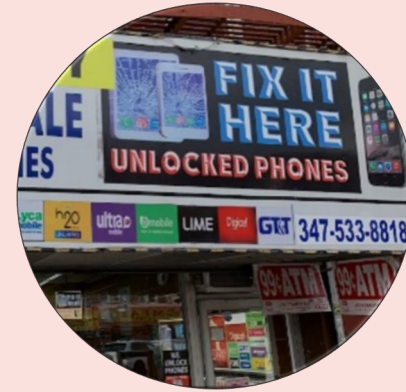
4. No more unnecessary loading docks

Allow older buildings to adapt over time by eliminating mandates for loading docks where they are not necessary



5. Allow commercial on upper floors

Making it easier for different types of businesses to use upper floors



6. Modernize use terms

Simplify and modernize how zoning defines different businesses

Photo Sources: 1. © Cyclomedia 2018; 2. © Cyclomedia 2023; 3. PowerPoint; 4. DCP Staff; 5. PowerPoint; 6. Google Streetview.

Goal 2 Support growing industries



7. Urban agriculture

Explicitly permit indoor agriculture in commercial areas



8. Life Sciences

Allow regulated, licensed labs to expand near hospitals and universities



9. Nightlife

Allow dancing and live comedy shows more broadly.



10. Amusements

Better define and enable amusements such as arcades and virtual reality



11. Home occupations

Allow New Yorkers more flexibility to have businesses in their homes

Photo Sources: 7. DCP Staff; 8. NYC EDC; 9. DCP Staff; 10. DCP Staff; 11. PowerPoint.

Goal 3 Foster vibrant neighborhoods



12. Promote better ground floor designs

Create consistent and easy to understand set of rules for ground floor design



13. Reduce conflicts with auto repair

With site plan review that keeps activity off of sidewalks and streets



14. Enable micro-distribution

Allow safe and sustainable neighborhood delivery hubs

Photo Sources: 12. © Cyclomedia 2022; 13. © Cyclomedia 2023; 14. DCP Staff.

Goal 4 Create new opportunities for local businesses to open



15. Campus commercial

Enable resident-serving retail, services, and maker-space at NYCHA and other residential campuses



16. Corner stores

Create a *process* to allow for small new bodegas and other locally-serving storefronts in residential areas



17. Adapting spaces for industries like film

Give businesses—like film studios—a rational process to allow them to adapt and expand



18. New loft-style zoning districts

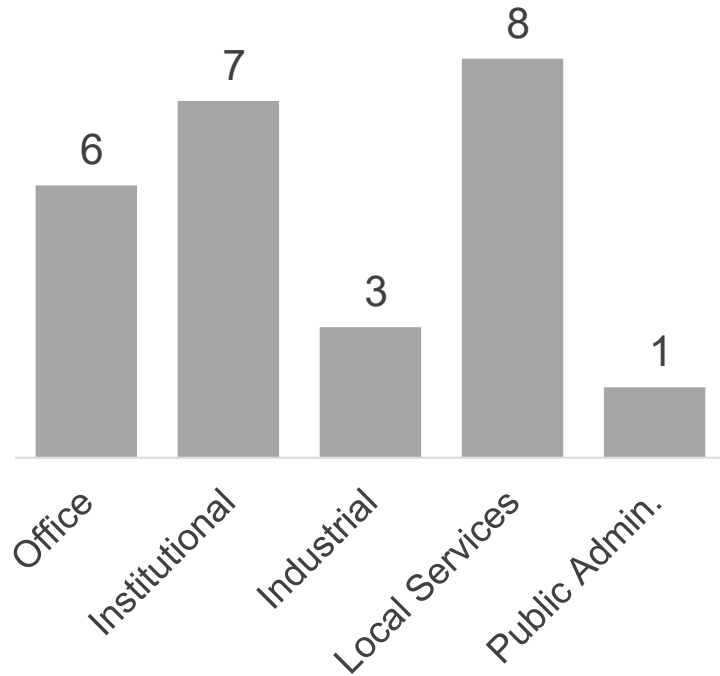
Create brand new zoning tools for future development of job-intensive buildings in Manufacturing Districts and for preservation of core industrial areas

Photo Sources: 15. DCP Staff; 16. DCP Staff; 17. MOME; 18. DCP Staff.

Existing Conditions – Bronx Community District 10

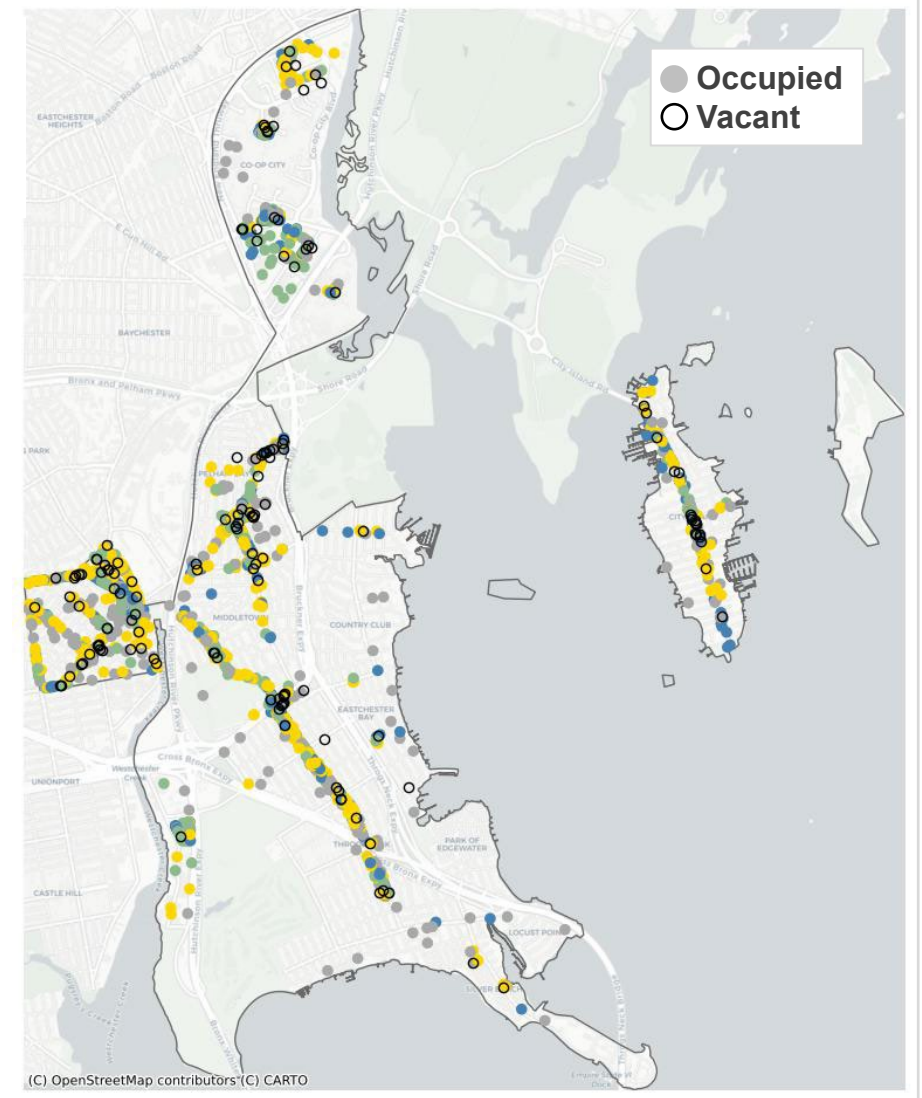
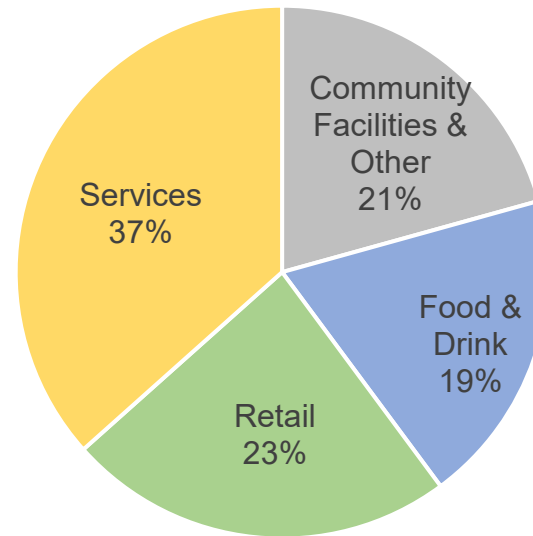
25,200 Jobs
94% of pre-Covid Jobs
 98% BX | 99% NYC

Jobs by Macro Sector
 (thousands)



1,650 Storefronts
130 vacant (8%)
 9% BX | 12% NYC

Storefronts by Type



Sources: New York State Department of Labor Quarterly Census of Employment and Wages, 2023 Q1 (preliminary) and 2020 Q1 averages (rounded to the nearest hundred); Live XYZ Snapshot retrieved on October 17, 2023 (rounded).
 Notes: Macro industry sectors represent aggregations of U.S. Census Bureau 2-digit NAICS codes, which generally reflect industries' land use patterns. Jobs reflect the number of employees reported by a business whose physical address is within a given community district. For businesses in some industries, such as Home Health Care (Institutional) or Construction (Industrial), a share of the work may be performed by employees outside the physical address of the business location and cannot be tracked.

Applicability Map: Bronx Community District 10

| Proposal # | Description of proposal: All districts |
|------------|---|
| 4 | Modernized loading dock rules |
| 6 | Simplified use terms |
| 17 | Rationalized waiver process for BSA and CPC |
| 18 | New types of zoning districts for job-intensive locations (must be mapped in future rezoning) |

C1 Districts

C2 Districts

C4 Districts

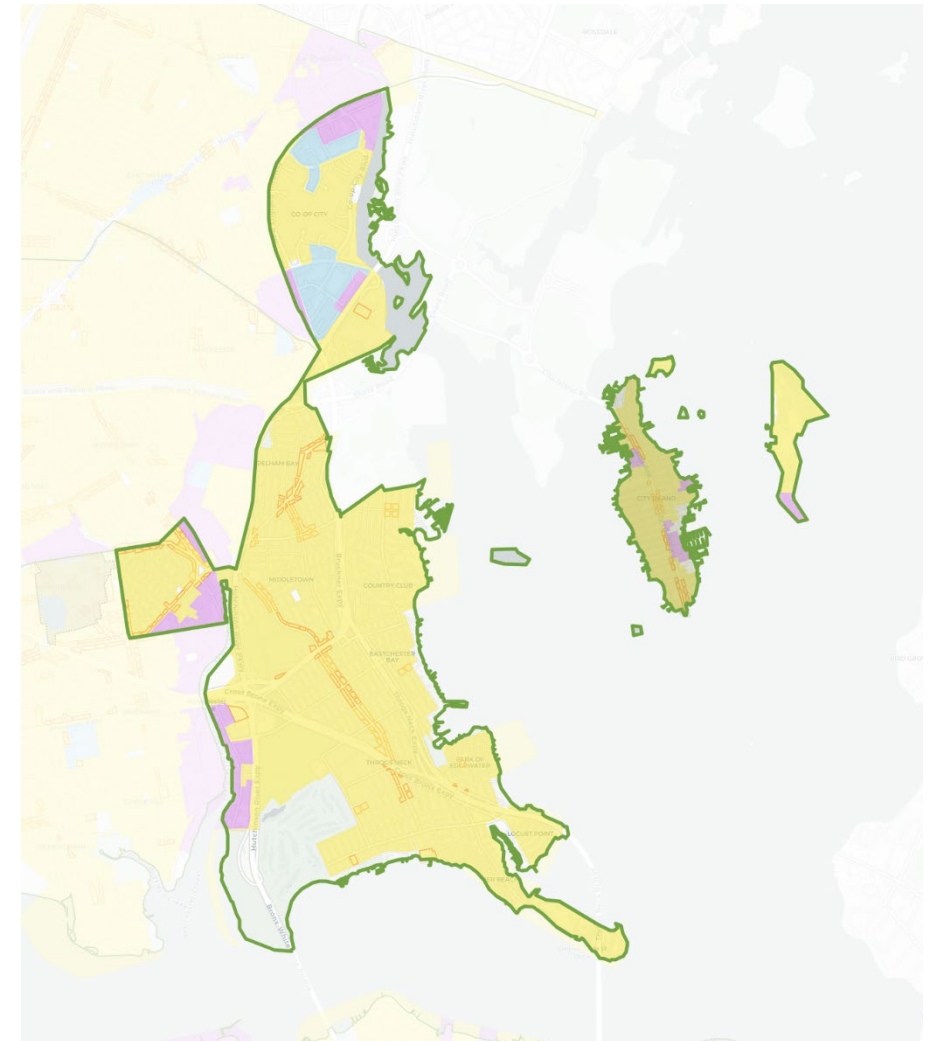
C5 Districts

C6 Districts

R Districts

M Districts

Special
Purpose
Districts



Applicability Map: Bronx Community District 10

| Proposal # | Description of proposal: C1 Districts |
|------------|---|
| 2 | Allows same uses as C2 districts |
| 3 | Allows clean production businesses up to 5,000 SF |
| 5 | Allows commercial uses on 2 nd floor |
| 6 | Simplified and modernized use terms |
| 7 | Fixes to enclosure rules and allows indoor agriculture |
| 9 | Eating or Drinking Establishments may contain entertainment with cover charges or specified showtimes up to 200-person capacity |
| 10 | Indoor Amusement or Recreation Facilities allowed up to 10,000 SF |
| 12 | New framework for ground floor street design |
| 13 | Light Motor Vehicle Repair and Maintenance Shops allowed via BSA Special Permit |
| 14 | Micro-Distribution Facilities allowed up to 2,500 SF |

C1 Districts

C2 Districts

C4 Districts

C5 Districts

C6 Districts

R Districts

M Districts

Special Purpose Districts



Applicability Map: Bronx Community District 10

| Proposal # | Description of proposal: C2 Districts |
|------------|---|
| 3 | Allows clean production businesses up to 5,000 SF |
| 5 | Allows commercial uses on 2 nd floor |
| 6 | Simplified and modernized use terms |
| 7 | Fixes to enclosure rules and allows indoor agriculture |
| 9 | Eating or Drinking Establishments may contain entertainment with cover charges or specified showtimes up to 200-person capacity |
| 10 | Indoor Amusement or Recreation Facilities allowed up to 10,000 SF |
| 12 | New framework for ground floor street design |
| 13 | Light Motor Vehicle Repair and Maintenance Shops allowed via BSA Special Permit |
| 14 | Micro-Distribution Facilities allowed up to 2,500 SF |

C1 Districts

C2 Districts

C4 Districts

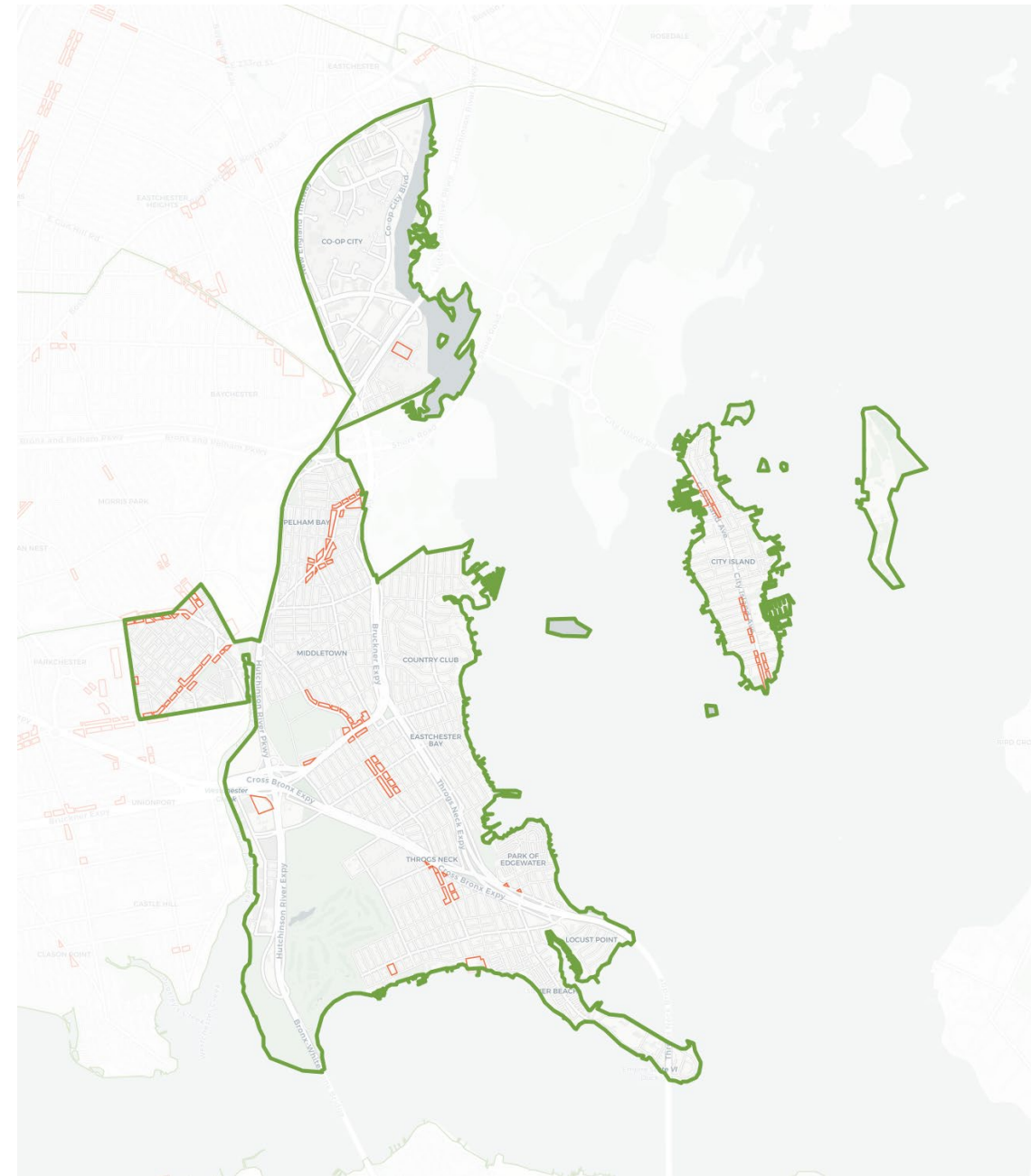
C5 Districts

C6 Districts

R Districts

M Districts

Special Purpose Districts



Applicability Map: Bronx Community District 10

| Proposal # | Description of proposal: C4 Districts |
|------------|--|
| 2 | Allows same uses as C6 districts |
| 3 | Allows clean production businesses up to 10,000 SF on the ground floor, without limit above the ground floor |
| 4 | Modernized loading dock rules |
| 5 | Allows commercial uses at same level or above residences (physical separation required) |
| 6 | Simplified and modernized use terms |
| 7 | Fixes to enclosure rules and allows indoor agriculture |
| 9 | Eating or Drinking Establishments may contain entertainment with cover charges or specified showtimes |
| 10 | Indoor Amusement or Recreation Facilities allowed without size limitation |
| 12 | New framework for ground floor street design |
| 13 | Light Motor Vehicle Repair and Maintenance Shops allowed via BSA Special Permit |
| 14 | Micro-Distribution Facilities allowed up to 5,000 SF on the ground floor and 10,000 SF above |

- C1 Districts
- C2 Districts
- C4 Districts**
- C5 Districts
- C6 Districts
- R Districts
- M Districts
- Special Purpose Districts



Applicability Map: Bronx Community District 10

| Proposal # | Description of proposal: C5 Districts |
|------------|--|
| 2 | Allows same uses as C6 districts |
| 3 | Allows clean production businesses up to 10,000 SF on the ground floor, without limit above the ground floor |
| 4 | Modernized loading dock rules |
| 5 | Allows commercial uses at same level or above residences (physical separation required) |
| 6 | Simplified and modernized use terms |
| 7 | Fixes to enclosure rules and allows indoor agriculture |
| 9 | Eating or Drinking Establishments may contain entertainment with cover charges or specified showtimes |
| 10 | Indoor Amusement or Recreation Facilities allowed without size limitation |
| 12 | New framework for ground floor street design |
| 13 | Light Motor Vehicle Repair and Maintenance Shops allowed via BSA Special Permit |
| 14 | Micro-Distribution Facilities allowed up to 5,000 SF on the ground floor and 10,000 SF above |

- C1 Districts
- C2 Districts
- C4 Districts
- C5 Districts**
- C6 Districts
- R Districts
- M Districts
- Special Purpose Districts



Applicability Map: Bronx Community District 10

| Proposal # | Description of proposal: C6 Districts |
|------------|--|
| 3 | Allows clean production businesses up to 10,000 SF on the ground floor, without limit above the ground floor |
| 4 | Modernized loading dock rules |
| 5 | Allows commercial uses at same level or above residences (physical separation required) |
| 6 | Simplified and modernized use terms |
| 7 | Fixes to enclosure rules and allows indoor agriculture |
| 9 | Eating or Drinking Establishments may contain entertainment with cover charges or specified showtimes |
| 10 | Indoor Amusement or Recreation Facilities allowed without size limitation |
| 12 | New framework for ground floor street design |
| 13 | Light Motor Vehicle Repair and Maintenance Shops allowed via BSA Special Permit |
| 14 | Micro-Distribution Facilities allowed up to 5,000 SF on the ground floor and 10,000 SF above |

- C1 Districts
- C2 Districts
- C4 Districts
- C5 Districts
- C6 Districts**
- R Districts
- M Districts
- Special Purpose Districts



Applicability Map: Bronx Community District 10

| Proposal # | Description of proposal: Residence Districts |
|------------|---|
| 1 | Eased pathway to reactivate vacant existing storefronts |
| 11 | Updated rules for home occupations |
| 15 | New zoning tool to permit local retail, services, and maker-space at NYCHA and other residential campuses |
| 16 | Create process to potentially allow new corner stores in residential areas |

C1 Districts

C2 Districts

C4 Districts

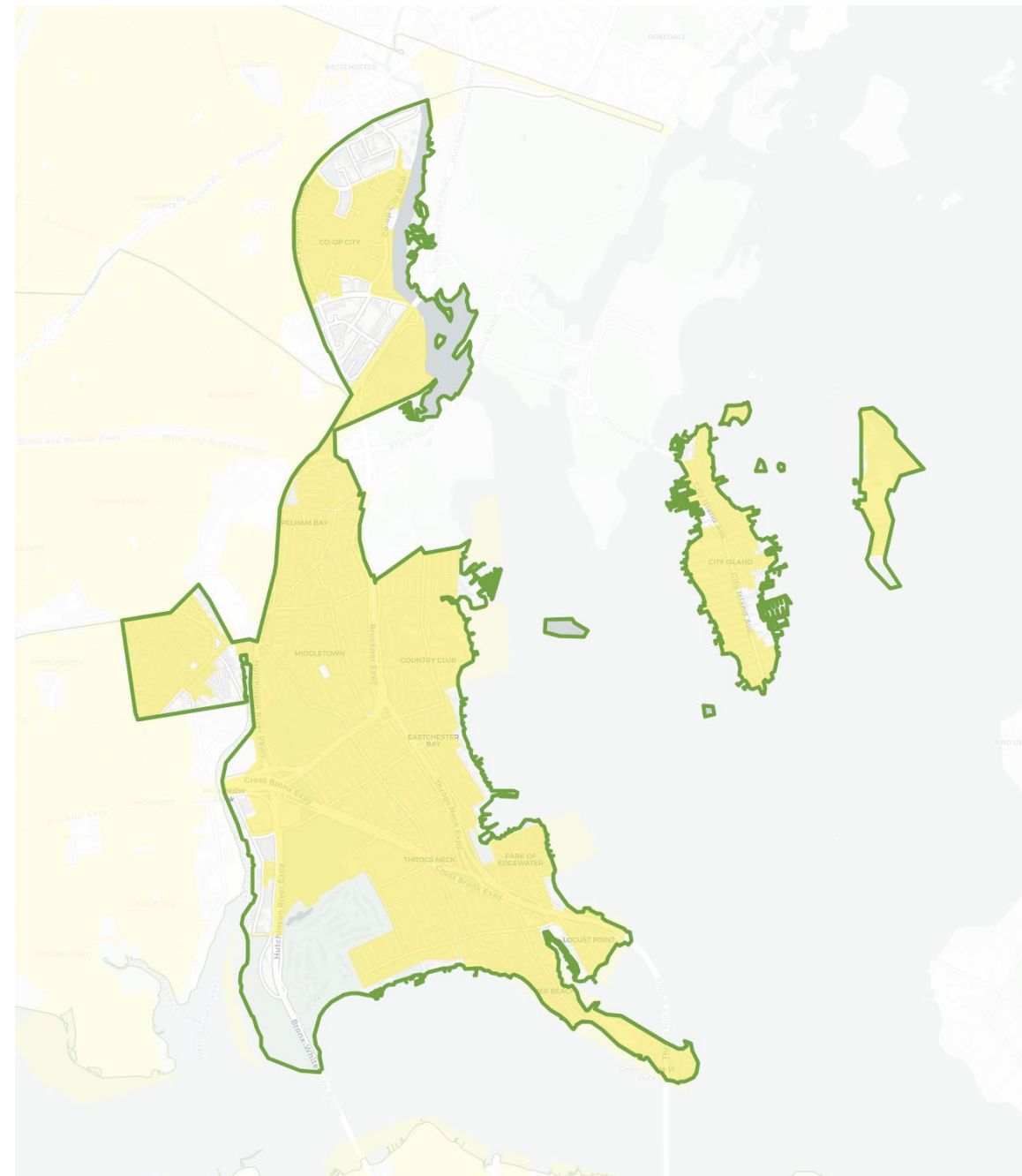
C5 Districts

C6 Districts

R Districts

M Districts

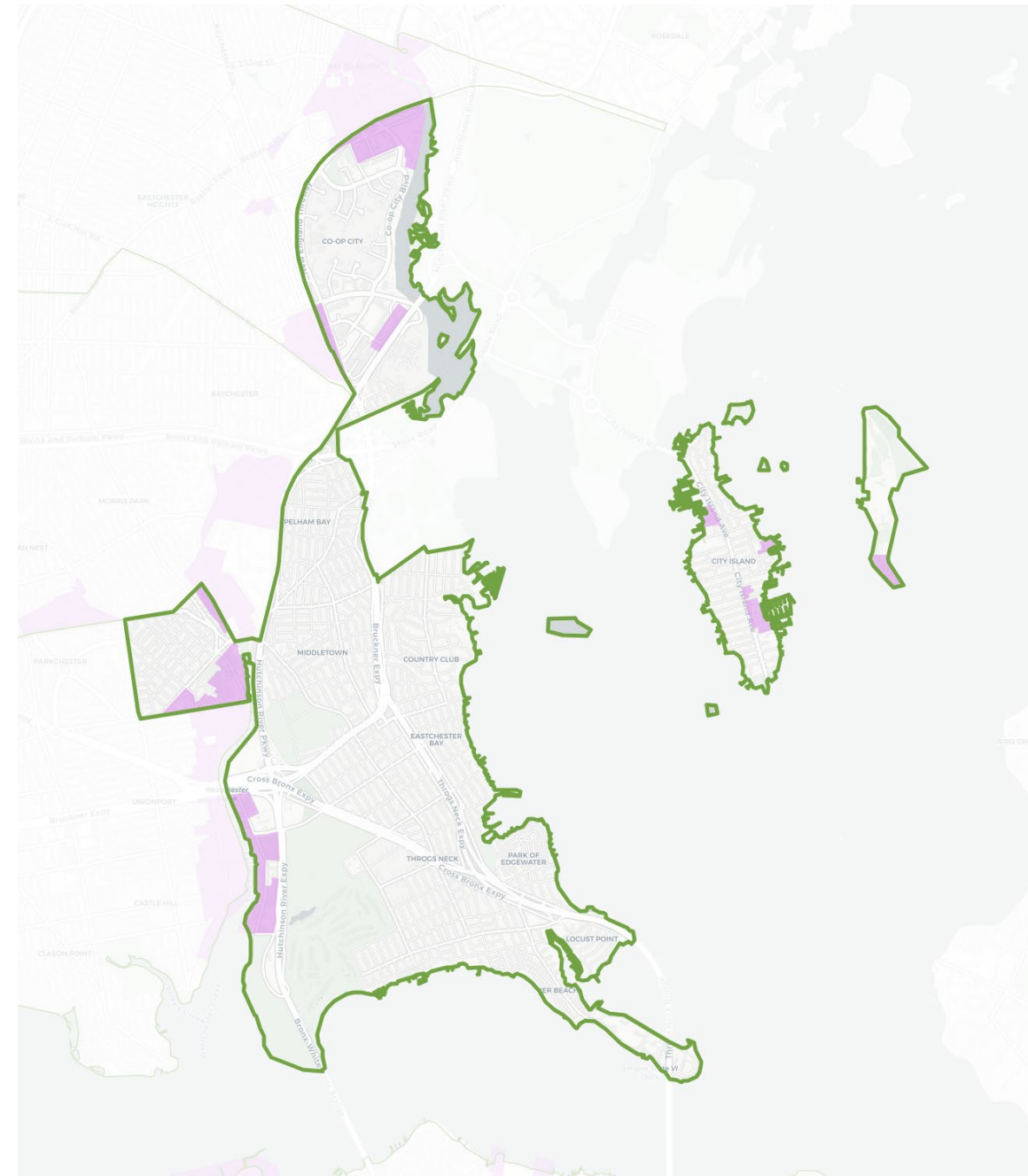
Special Purpose Districts



Applicability Map: Bronx Community District 10

| Proposal # | Description of proposal: M districts |
|------------|--|
| 4 | Modernized loading dock rules |
| 6 | Simplified and modernized use terms |
| 17 | Rationalized waiver process for BSA and CPC |
| 18 | New types of zoning districts that balance Growth, Transition, and Core industrial areas (must be mapped in future rezoning) |

- C1 Districts
- C2 Districts
- C4 Districts
- C5 Districts
- C6 Districts
- R Districts
- M Districts**
- Special Purpose Districts




Applicability Map: Bronx Community District 10

| Proposal # | Description of proposal: Special Districts |
|------------|--|
| 2 | Aligned ground floor use rules when inconsistent with stated purpose of the Special District |
| 6 | Simplified and modernized use terms |
| 12 | Enhanced corridor design rules |

- C1 Districts
- C2 Districts
- C4 Districts
- C5 Districts
- C6 Districts
- R Districts
- M Districts
- Special Purpose Districts





Goal 1:

Make it easier for businesses to find space and grow

Goal 2:

Boost growing industries

Goal 3:

Enable more business-friendly streetscapes

Goal 4:

Create new opportunities for businesses to open

Goal 1 Make it easier for businesses to find space and grow

NYC has thousands of **vacant storefronts**. Zoning can make it harder to fill these spaces.



Modern, **clean manufacturing businesses** can't locate in central areas because our rules haven't kept up with environmental regulations.



We make **arbitrary distinctions** about where businesses can locate—even on opposite sides of the same street.



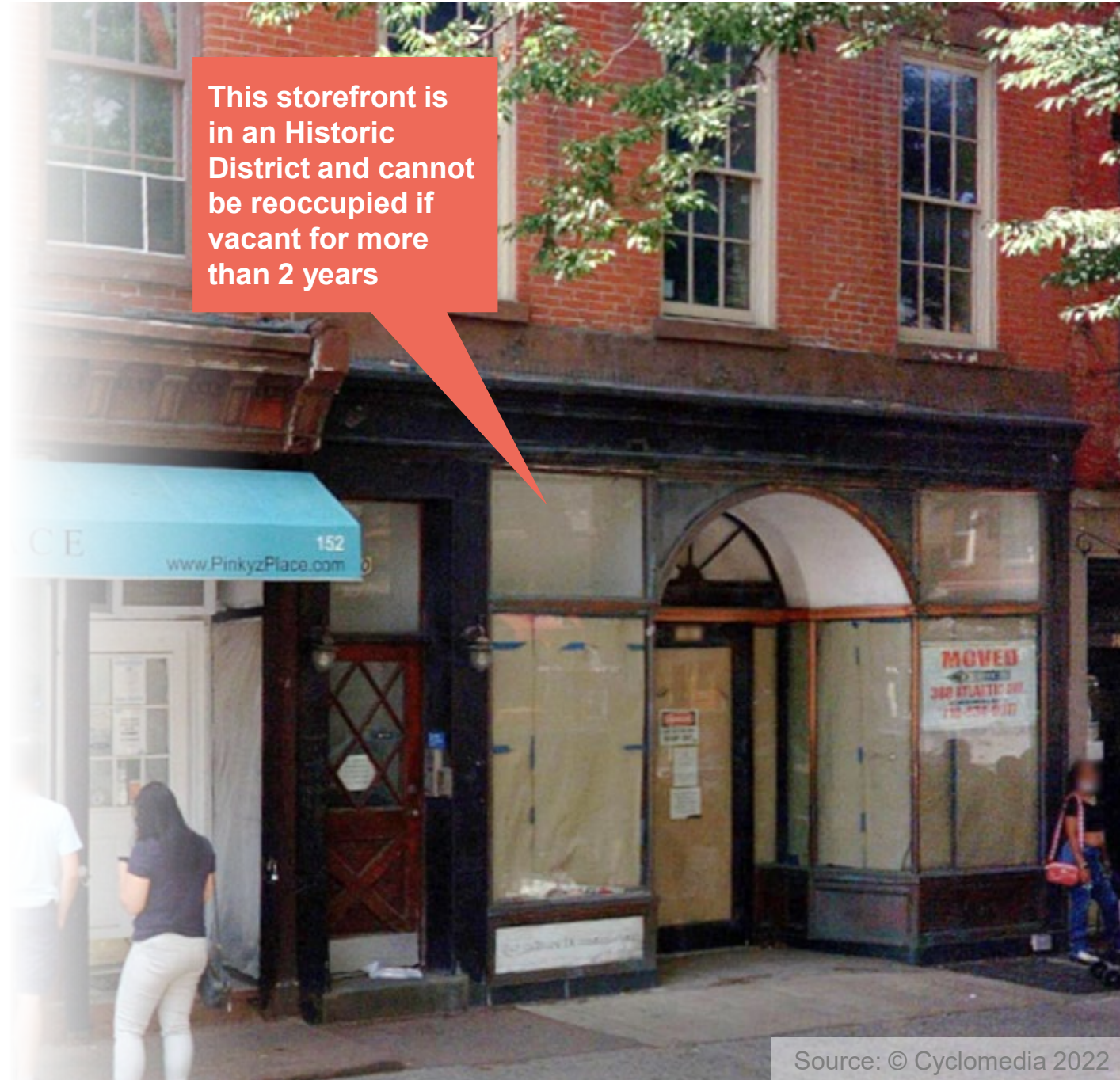
Zoning terms classifying **businesses haven't been updated since the 1960s**, leading to confusion.

Proposal 1

Lift time limits to reactivating vacant storefronts

- **Currently:** Zoning allows businesses in R5-R7 districts to reoccupy vacant space, regardless of how long the non-conforming storefront has been empty.
- **Issue:** R1-R4, R8-R10, and Historic Districts are excluded from these provisions, meaning commercial spaces in these areas that are vacant for more than two years are not permitted to be re-occupied, contributing to long-term vacancies.
- **Proposal:** Expand existing provisions to all Residence Districts and Historic Districts.

This storefront is in an Historic District and cannot be reoccupied if vacant for more than 2 years

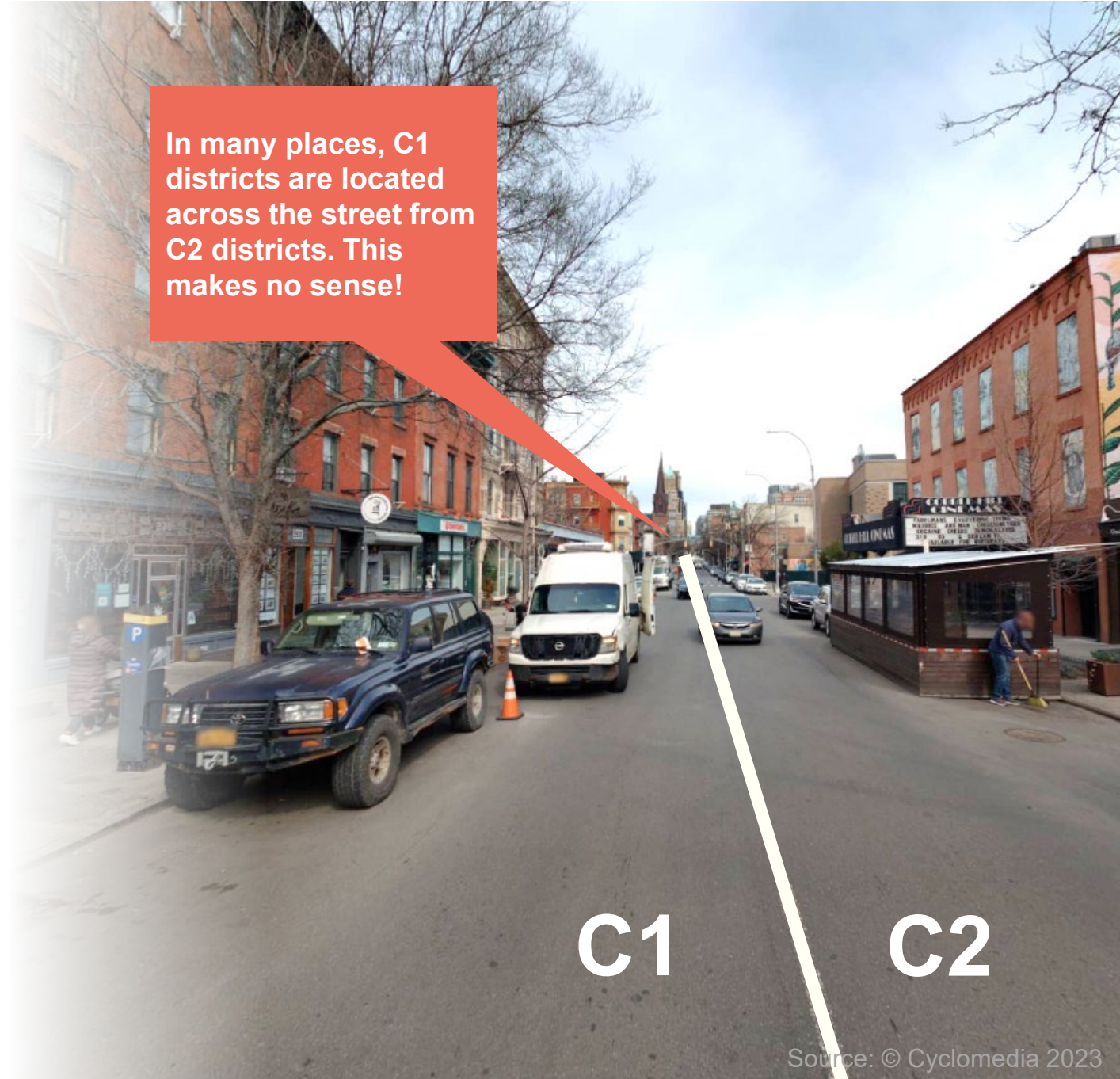


Source: © Cyclomedia 2022

Proposal 2

Simplify rules for business types allowed on commercial streets

- **Currently:** Commercial zoning districts that aim to foster similar retail environments often do not allow the same types of businesses.
- **Issue:** Common neighborhood retail businesses, such as bicycle rental shops, movie theaters, and mini-golf, face outdated restrictions on where they can locate.
- **Proposal:** Allow same businesses to locate in C1 and C2 districts, and in C4-C7 districts—creating a commonsense fix that strengthens the difference between local and regional commercial streets.
- Remove restrictions preventing particular uses in certain districts from occupying ground floor spaces



Current and proposed use allowances

Currently

| | C1 | C2 |
|---------------------------------|----------------------|--------------------------------|
| Allowed in both C1 and C2 | Residential | |
| | Community facilities | |
| | Retail uses | |
| | Offices | |
| Allowed in C2 but not C1 | | Personal and business services |
| | | Entertainment uses |
| | | Transient accommodations |
| | | Wholesale establishments |



Proposal

| | C1 | C2 |
|---------------------------|--------------------------------|----|
| Allowed in both C1 and C2 | Residential | |
| | Community facilities | |
| | Retail uses | |
| | Offices | |
| | Personal and business services | |
| | Entertainment uses | |
| | Transient accommodations | |
| | Wholesale establishments | |
| | | |
| | | |

Permitted uses today

Proposed simplification

Not Permitted

Proposal 2: In detail

Current and proposed use allowances

Currently

| | C4 | C5 | C6 | C7 |
|--|---------------------------------|--------------------------|---------------------------------|----|
| Allowed in C4, C5, and C6 but <u>not C7</u> | Residential | | | |
| | Community facilities | | | |
| | Retail | | | |
| | Offices | | | |
| Allowed in C4, C6, and C7 but <u>not C5</u> | Amusements / places of assembly | | Amusements / places of assembly | |
| Allowed in C4 and C6, but <u>not C5 or C7</u> | Personal and business services | | Personal and business services | |
| Allowed in C6 but <u>not C4, C5, or C7</u> | | | Personal and business services | |
| Allowed in C5 and C6 but <u>not C4 or C7</u> | | Custom manufacturing | | |
| | | Wholesale establishments | | |

Proposal

| | C4-C6 | C7 |
|--|---------------------------------|----|
| Allowed in both C4-C6 but <u>not C7</u> | Residential | |
| | | |
| Allowed in C4-C7 | Community facilities | |
| | Retail uses | |
| | Offices | |
| | Amusements / places of assembly | |
| | Personal and business services | |
| | Entertainment uses | |
| | Custom manufacturing | |
| | Wholesale establishments | |



Permitted uses today

Proposed simplification

Not Permitted

Ground floor use restrictions

- **Currently:** C4, C5, and some Special Purpose Districts permit uses in this district but restrict these uses from locating on the ground floor.
- **Issue:** Common neighborhood service businesses, such as dance studios, instructional facilities, and clothing rental shops, cannot locate in empty storefront spaces in many areas, arbitrary restrictions that contribute to vacancy.
- **Proposal:** Allow all permitted commercial uses to locate on the ground floor.



Source: © Cyclomedia 2019

Proposal 3

Expand opportunities for small-scale clean production

- **Currently:** Commercial Districts permit a limited range of production uses (some of which are obsolete) but exclude many kinds of production that are appropriate to locate in storefront or office settings.
- **Issue:** Maker businesses that rely on retail foot traffic or prefer to locate near customers are only permitted in less accessible industrial areas.
- **Proposal:** Allow small scale, clean production businesses in storefronts and office buildings—limited to 5,000 SF in C1/C2 districts and limited to 10,000 SF on the ground floor in C4-C7 districts.
- Uses subject to “ABC” and “Right to Know” environmental standards to ensure they are appropriate to locate near residences and other businesses.



... And other kinds of makers!

Source: PowerPoint

Proposal 4

Modernize loading dock rules so buildings can adapt over time

- **Currently:** Zoning requires that the number of loading berths be based on the mix of uses currently occupying a building, unlike parking requirements which do not change as buildings evolve over time.
- **Issue:** When existing businesses expand or new types of businesses move into an existing building, they may be required to provide more loading bays than they need. This is often unnecessary and cost-prohibitive.
- **Proposal:** Remove the mandate for new tenants in *existing* buildings to provide additional loading berths based on a change in use, allowing building occupancy to evolve over time. Includes other organizational changes to clarify and consolidate loading rules.



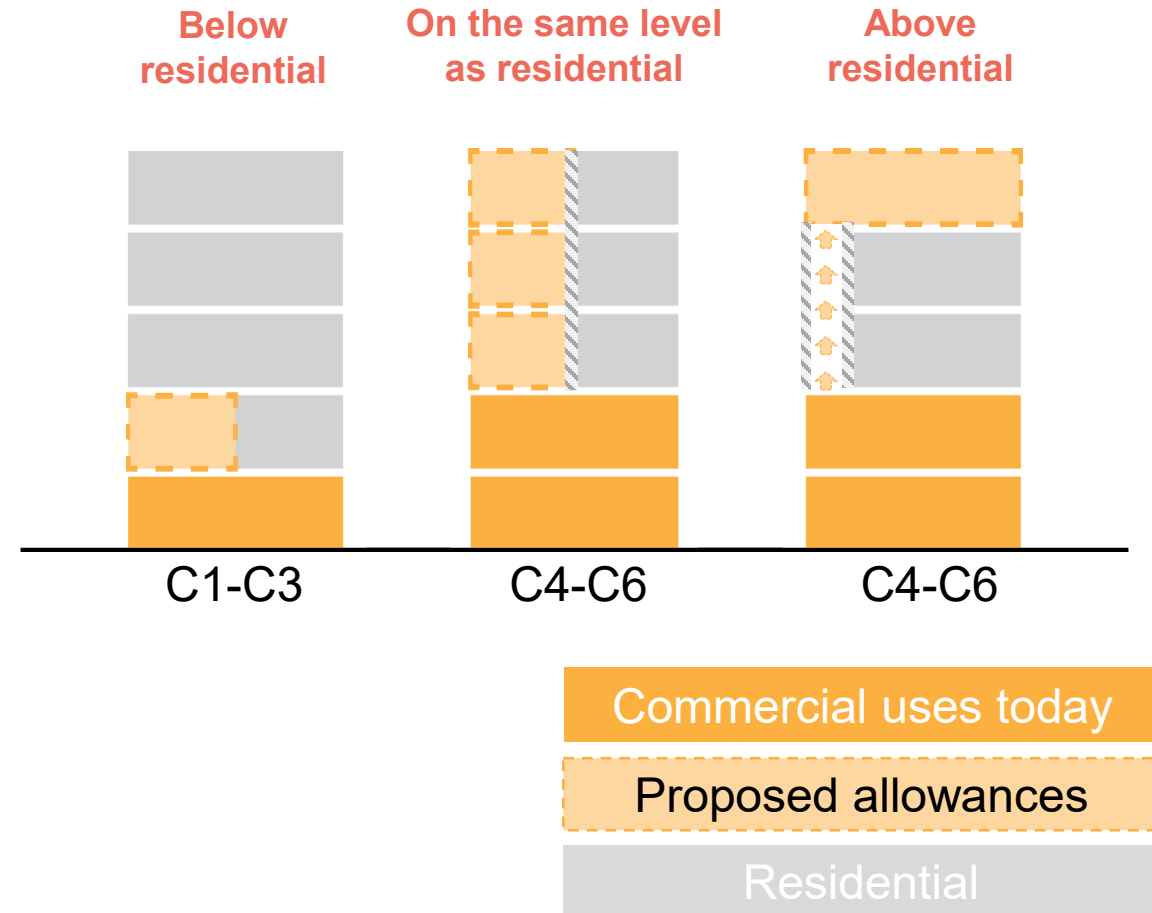
Source: DCP Staff

Proposal 5

Enable commercial activity on upper floors

- **Currently:** In some Special Purpose Districts, in MX Districts, and in areas where Article I Chapter V applies, commercial or light industrial uses may occupy the same floor or locate above residences.
- **Issue:** In the rest of the city, commercial uses are not allowed on the same level as or above residences, which limits options for buildings renovations and new mixed-use buildings.
- **Proposal: 1.** Allow commercial uses on the 2nd floor of a residential building in all commercial districts. **2.** Permit commercial above or on the same level as residences in C4, C5, and C6 districts.
- Physical separation required between residential and non-residential portions of the building. Potentially noisy uses must have minimum of 15 feet of separation or materials to attenuate any excessive sound.

Allowing mixed-use buildings in renovations & new construction



Proposal 6

Simplify and modernize the way businesses are classified in zoning

- **Currently:** Zoning relies on a 1960s classification of industries to regulate where businesses can locate and categorizes uses into “Use Groups” of businesses deemed compatible or similar at the time.
- **Issue:** Outdated use terms and inconsistent categorization results in a Zoning Resolution that is difficult for businesses to know where they can locate and what they can do in their space.
- **Proposal:** Reorganize the current Use Groups into more coherent categories based on similar sector or business type, using updated terminology based on today’s economy.
- Update Special District rules to refer to these new classifications and other adjustments that bring Special Districts into alignment with the proposal.

Currently

| Current UG # | Current Use |
|--------------|----------------------------------|
| 6 | Eating & Drinking Establishments |
| 7 | Bike Rental & repair |
| 9 | Arts Studio |
| 10 | Furniture Stores |



Proposal

| Future UG # | Future Use Group Name |
|-------------|---|
| 1 | Agriculture and Open Uses |
| 2 | Residences |
| 3 | Community Facilities |
| 4 | Public Service Facilities and Infrastructure |
| 5 | Transient Accommodations |
| 6 | Retail and Services |
| 7 | Offices and Other Workspaces |
| 8 | Recreation, Entertainment, and Places of Assembly |
| 9 | Storage |
| 10 | Production |



Goal 1:

Make it easier for businesses to find space and grow

Goal 2:

Boost growing industries

Goal 3:

Enable more business-friendly streetscapes

Goal 4:

Create new opportunities for businesses to open

Goal 2 Boost growing industries

Life science laboratories face confusing and outdated rules that slow their growth in NYC.



Dancing and comedy shows are stymied in commercial areas

Businesses with **amusements** -- like mini golf or virtual reality gaming -- need clearer rules about where they can locate



Businesses with **indoor agriculture** in commercial areas face too much uncertainty today.

Proposal 7

Clarify rules to permit indoor urban agriculture

- **Currently:** Agriculture is allowed outside or in a greenhouse in any zoning district, but indoor agriculture is permitted only in M Districts.
- **Issue:** As technologies change, entrepreneurs can increasingly grow food for their communities indoors—but zoning has not kept up to allow for this activity to occur inside a building.
- Florists and plant shop owners also face confusing zoning rules on how to operate businesses with indoor and outdoor components.
- **Proposal:** Clarify how enclosure rules work to ensure that businesses with passive outdoor spaces, such as florists, can operate.
- Permit agriculture indoors in C Districts.



Source: NYC Mayor's Office of Urban Agriculture

Proposal 8

Give life sciences companies the certainty to grow

- **Currently:** Zoning uses outdated terms to define a laboratory, creating uncertainty about where safe and modern research and development can occur.
- **Issue:** Ambiguity in zoning can make building new labs difficult. An existing Special Permit to allow new commercial labs often can't be used near important research centers.
- **Proposal:** Clarify the definition of a laboratory to allow any life science business to locate in C Districts if it can meet environmental standards that protect neighbors.
- Allow commercial life sciences facilities to locate on community facility campuses by CPC Special Permit.



Source: NYC EDC

Proposal 9

Support nightlife with common-sense dancing and live entertainment rules

- **Currently:** Zoning creates confusing, arbitrary, and discriminatory rules around dancing, comedy, and music.
- **Issue:** Confusing rules lead to business uncertainty, enforcement challenges, and inconsistent quality of life protection.
- **Proposal:** Clarify zoning to regulate nightlife based on capacity of the business rather than the type of live entertainment within the operation.
- 200-person capacity on businesses in C1-C3. Larger nightlife businesses would be allowed in C4-C8, M1-M3.
- Nightlife venues still subject to permitting and enforcement by other agencies, such as DOB, FDNY, and SLA.



Source: DCP Staff

Nightlife: Current Zoning

For an **Eating or Drinking Establishment** in a C2 overlay district



Permitted:

Bar or Restaurant
with live music



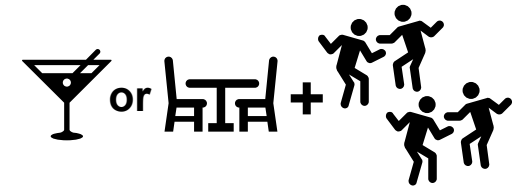
Permitted:

Bar with ticketed
musical entertainment
(but not dancing) up
to 200-person
capacity



Ambiguous:

Bar or restaurant with
incidental dancing



Not permitted:

Bar or restaurant
where dancing is
common

Nightlife: Proposal

For an **Eating or Drinking Establishment** in a C2 overlay district



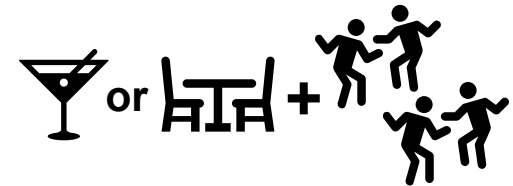
Permitted:
No change



Permitted:
No change



Permitted:
Clarify that incidental dancing is permitted in any business type

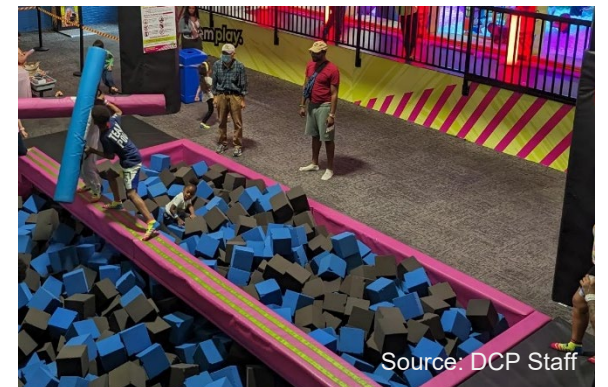


Permitted:
Dancing as a common activity in a bar or restaurant

- Permit non-musical entertainment with posted showtimes or cover charges in bars or restaurants up to 200-person capacity in C1-C3. Discretionary process available to consider capacity increases in certain circumstances.
- Over 200-person capacity businesses allowed in C4-C8, M1-M3

Create more opportunities for amusements to locate

- **Currently:** Zoning defines a limited set of amusement and recreation uses based on those popular 60 years ago, creating ambiguity for new types of experiential businesses seeking to locate along neighborhood commercial streets.
- **Issue:** New Yorkers often must travel to industrial areas to engage in activities like arcades, virtual reality, and children's entertainment due these outdated rules prohibiting some types of businesses in C Districts.
- **Proposal:** Create zoning term for Amusement or Recreation Facilities and allow these uses indoors in spaces up to 10,000 SF C1/C2 districts. Allowed indoors without limitation in C4-C7, and indoors or outdoors without limitation in C8 or M1-M3.
- Businesses in C1-C7 could apply to allow outdoor activities through a BSA Special Permit process.



Enable entrepreneurship with modern rules for home-based businesses

- **Currently:** Zoning allows for a wide range of home-based businesses, such as lawyers, jewelry makers, or music teachers. Some Special Districts expand size, employee count, and business type allowances to give even more flexibility to entrepreneurs.
- **Issue:** The pandemic changed how New Yorkers work from home, but zoning hasn't kept up—prohibiting specific occupations like barbers or interior decorators—and other restrictions that hold back business creation.
- **Proposal:** Remove list of currently prohibited business types, expand size allowance from 25% to 49% of home, and allow up to 3 employees to be associated with the home-based business.
- Maintain existing noise/environmental rules, signage limits, and restrictions on selling items not produced on-site.



Source: PowerPoint



Goal 1:

Make it easier for businesses to find space and grow

Goal 2:

Boost growing industries

Goal 3:

Enable more business-friendly streetscapes

Goal 4:

Create new opportunities for businesses to open

Goal 3 Enable more business-friendly streetscapes

Long blank walls and drive-throughs create unpleasant and unsafe conditions for people, and an unfriendly environment for business.



When **auto-related businesses spill out onto the sidewalk**, it creates safety concerns for pedestrians and breaks up commercial corridors.

Professional delivery activity frequently resorts to sidewalks because it is not allowed in buildings, except in industrial areas.



Introduce design rules that ensure buildings contribute to surroundings

- **Currently:** Dozens of Special Districts have streetscape regulations, but they inconsistently regulate conditions based on time they were adopted. Outside of Manhattan and in some Special Districts, most areas of the city do not have any zoning rules guiding street level design.
- **Issue:** Lack of consistent streetscape regulations diminishes economic vibrancy of commercial areas and can create unsafe or unpleasant conditions for pedestrians and customers.
- **Proposal:** Establish a consistent and easy to understand citywide framework for commercial ground floor design requirements that is more stringent in places with greater pedestrian activity and more flexible in auto-oriented corridors.



Planting along West Farms Road in the Bronx



Bank with parking to the side on Hylan Boulevard in SI

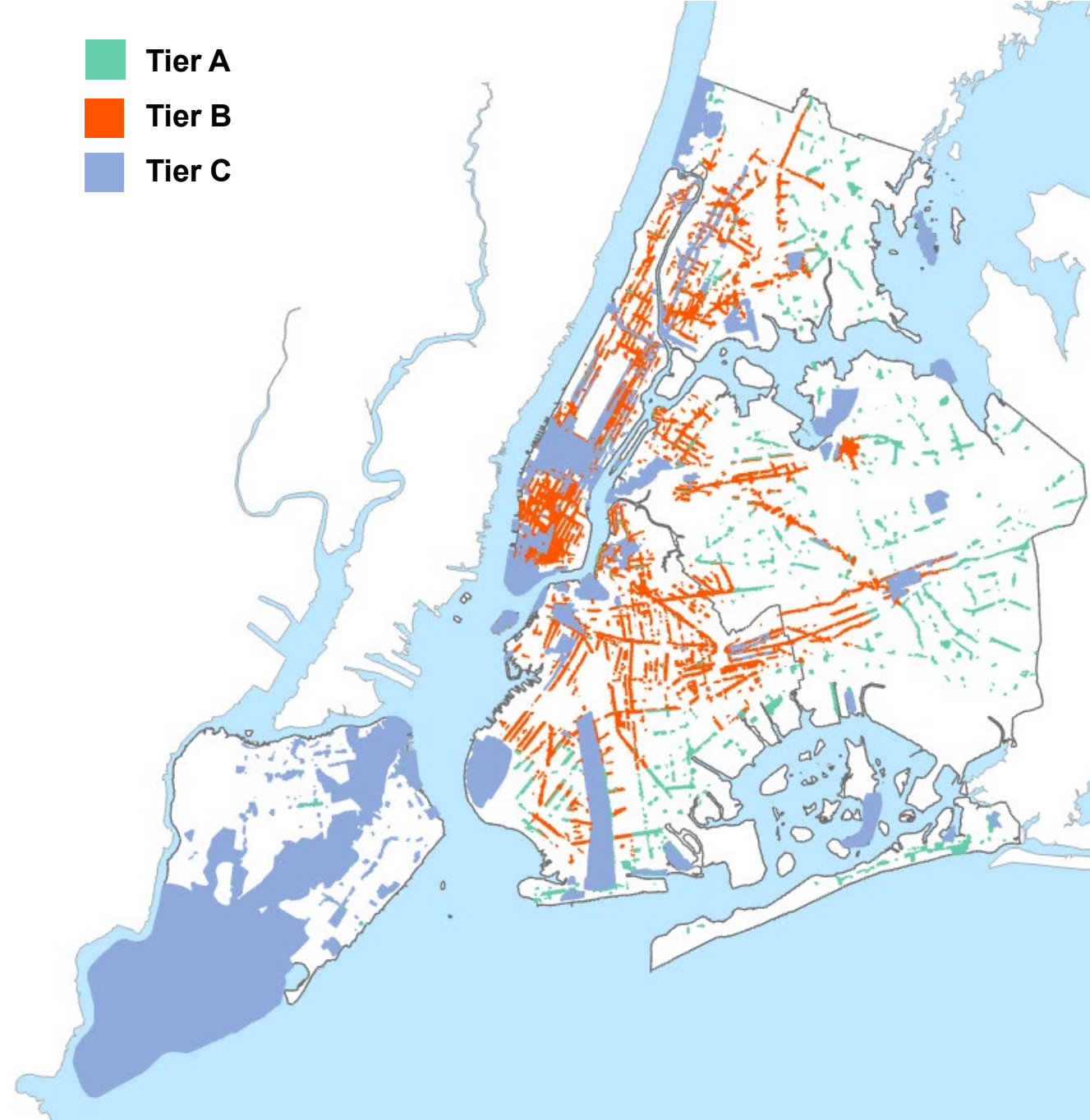
Source: © Cyclomedia 2022

Proposal 12: In detail

Introduce design rules that ensure buildings contribute to surroundings

- Tier A
- Tier B
- Tier C

| | Applicable Geographies | Regulates |
|-----------------|--|---|
| Tier A | Streets in C1-C2, C4-C7 districts and in MX Districts | Parking location, Drive-throughs, Blank walls |
| Tier B | Streets in C1-C2, C4-C7 districts and in MX Districts (within the Transit Zone) | Tier A rules, plus: Ground floor residences, Lobby length, Minimum transparency, Parking enclosure, Curb cut location |
| Tier C | Designated streets in Special Purpose Districts and other geographies | Tiers A & Tier B rules, plus more robust list of building elements |
| <i>Excluded</i> | <i>Within 1,000 feet of highway entrance or large shopping center far from transit</i> | |



Proposal 13

Reduce conflicts between auto repair shops and pedestrians

- **Currently:** Auto servicing and repair uses are mostly restricted to industrial areas, but today exceptions allow for servicing certain parts of a vehicle in C2 and C4 districts.
- **Issue:** In practice, some businesses conduct heavy industrial servicing and vehicle storage on neighborhood sidewalks and retail streets, which can create unsafe conditions for residents.
- **Proposal:** Rationalize and consolidate the range of auto servicing uses into two, zoning-defined categories: Light and Heavy Vehicle Repair and Maintenance Shops. Heavy repair shops must be registered with the New York State DMV and would be allowed in C8 and M districts.
- Allow new Light auto servicing uses in C1-C7 districts to locate only by BSA Special Permit.



Source: © Cyclomedia 2023

Proposal 14

Encourage safe and sustainable deliveries with micro-distribution

- **Currently:** Zoning does not allow for most forms of goods delivery to occur within buildings in Commercial Districts.
- **Issue:** Delivery activity often occurs only on sidewalks and streets, exacerbating truck congestion and leading to conflicts with pedestrians and cyclists.
- **Proposal:** Create a new use for Micro-Distribution Facilities so delivery activity can locate at a small scale closer to homes and offices.
- Limited to 2,500 SF in C1/C2 districts, and up to 5,000 SF on the ground floor in C4-C7 districts.
- Larger spaces available only by BSA Special Permit or CPC Special Permit.
- Streetscape rules would prohibit papering over of windows to deter “dark stores.”



Source: DCP Staff



Goal 1:

Make it easier for businesses to find space and grow

Goal 2:

Boost growing industries

Goal 3:

Enable more business-friendly streetscapes

Goal 4:

Create new opportunities for businesses to open

Goal 4 Create new opportunities for businesses to open

Residential campuses like NYCHA should provide residents better **access to goods and services**



Our manufacturing districts need to better reflect needs of current and future businesses



Our rules **limit the shape of certain new buildings**, such as film studios



Proposal 15

Facilitate local commercial space on residential campuses

- **Currently:** Many large-scale residential campuses, such as NYCHA, are zoned as Residence Districts, so local retail, services, and maker-spaces cannot easily locate.
- **Issue:** No zoning tools exist to allow commercial uses on residential campuses other than a full area-wide rezoning, which may be too costly, time-consuming, or not appropriate for many locations.
- **Proposal:** Create a CPC Authorization that gives NYCHA and other large-scale residential sites the ability to include commercial up to 15,000 SF.
- Subject to both environmental review and Community Board approval.
- Approval only if development would not create traffic congestion or environmental concerns.



Source: © Cyclomedia 2023

Proposal 16

Create process for allowing new corner stores in residential areas

- **Currently:** Zoning does not have tools to permit small-scale stores in residential areas.
- **Issue:** Residential areas of the city prohibit all new stores, which means new neighborhood services can never open in large swaths of the city.
- **Proposal:** Create a CPC Authorization to allow up to 2,500 SF of commercial use within 100 feet of an intersection.
- Subject to both environmental review and Community Board approval.
- Approval only if development would not create traffic congestion or environmental concerns.



Source: © Cyclomedia 2023

Rationalize waiver process for business adaptation and growth

- **Currently:** Many growing businesses run into physical constraints of zoning that are incompatible with business expansion plans. For instance, a soundstage requires high walls, which conflict with zoning limitations on maximum street-wall heights in many districts. Or, a clothing store may be so successful that it wants to take over the next storefront, but discovers it is size-limited in many C districts.
- **Issue:** Today these businesses may have no paths forward.
- **Proposal:** Rationalize and supplement existing BSA permits to allow for any business type to seek limited modifications to size, enclosure, or location of use via BSA Special Permit. Significant (more than double) size increases would require public process via CPC Special Permit.
- Create new CPC Authorization for bulk modifications, including yard and setback requirements.




Source: © Cyclomedia 2022

Proposal 18

Create new kinds of zoning districts for future job hubs

- **Currently:** No new zoning tools have been created in 60+ years for non-residential zones, and current tools are functionally obsolete.
- **Issue:** Current zoning in most industrial areas favors low-scale warehouse construction, preventing the construction of new multi-story buildings to support growing jobs, particularly near transit.
- **Proposal:** Create a range of new job-intensive zoning districts to allow for modern loft-style buildings by permitting higher densities, more flexibility on permitted building form, and right-sized parking and loading requirements.



Current zoning make it impossible to replicate the building on the right in new construction.

Source: © Cyclomedia 2023

Create new kinds of zoning districts for future job hubs



For strongly industrial context to allow modest expansion opportunities for legacy industry and future critical infrastructure

FAR limitations on all non-industrial uses



For traditional industrial areas where a balance of mixing & preservation is warranted.

Incentivizes industrial uses via higher FAR



Suitable near residences & a mix of commercial activity, near transit.

Allows greatest flexibility for mixed use



New type of commercial district with CBD (C4-C6) uses but same bulk regulations as M1A.

- All new zoning district types include long-requested reforms for bulk to allow more loft-like buildings and no parking requirements inside the Expanded Transit Zone.
- New districts would not be “mapped” to specific geographies through City of yes. Existing M districts will still exist and would not be affected by these new district options.

How to provide feedback for City of Yes for Economic Opportunity

To assist in your review of these proposals, we have prepared a checklist of the 18 components of the proposal which you may use to indicate which parts you support or do not support and why.

The use of this checklist is completely optional, but it is designed to help you manage and communicate your consideration of the various components of the proposal, and to enable us to best understand and absorb your feedback.

You may use this optional checklist, along with any other material you prepare for your recommendations and upload the material to the Land Use Participant (LUP) Portal when you submit your recommendations.

city of **yes**



For Economic Opportunity

Optional Worksheet: Proposal Feedback

Instructions: If you choose to complete this optional worksheet, please review each part of the proposal. Check the box to express whether you support or do not support that specific component. You can leave comments in the requested modification section.

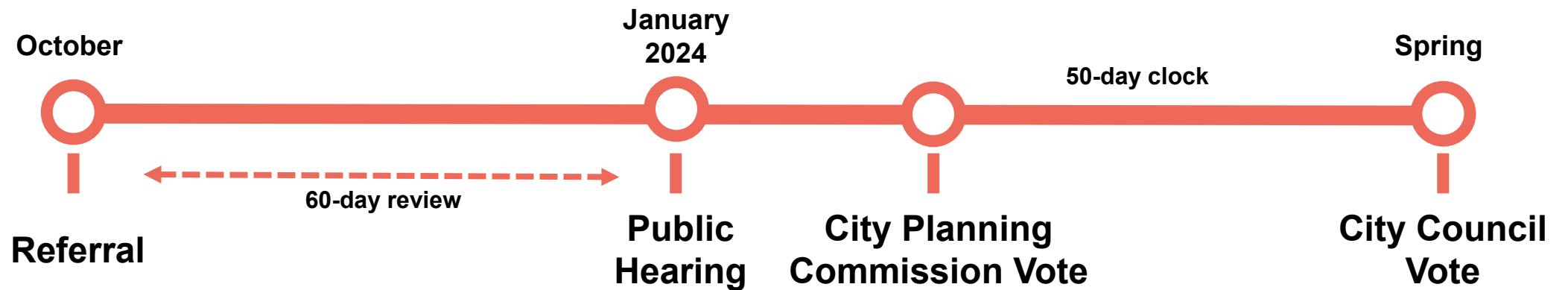
| | Support | Do Not Support | Requested Modification |
|-----------------------------|--------------------------|--------------------------|------------------------|
| #1: Reactivate Storefronts | <input type="checkbox"/> | <input type="checkbox"/> | |
| #2: Simplify district types | <input type="checkbox"/> | <input type="checkbox"/> | |



Stay in touch!

Email the project team at **EconomicOpportunity@planning.nyc.gov** with questions, concerns, and to be signed up for email alerts on this project.

for Economic Opportunity
Growing jobs and small businesses
with more flexible zoning



Approximate schedule of public review, for illustrative purposes only