



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD 10

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HENRIETTA LYLE

Chair

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District Manager

**Resolution on
ULURP Application No. N 120132 ZRY – Zone Green Text Amendment
by NYC Department of City Planning**

Whereas, the Department of City Planning (“DCP”) is proposing a City-wide Zone Green Text Amendment to remove zoning barriers to green building features in the City;

Whereas, the proposed text amendment would facilitate retrofitting of existing buildings and construction of new buildings with features that help reduce energy consumption and carbon emissions, generate clean and renewable energy, manage stormwater on site, reduce urban heat island effect through vegetation on roofs, and otherwise promote a healthy and green city;

Whereas, the proposed text amendment would allow external insulation of existing buildings within the property line while exempting it from floor area and yard calculations, and encouraging new high-performance buildings by exempting thicker, more efficient walls from floor area calculations;

Whereas, the proposed text amendment would permit sun control devices, which can help reduce energy consumption for air conditioning through shading and also reduce energy consumption for lighting by providing glare free natural light, which are sometimes prohibited because of projection over required open areas;

Whereas, the proposed text amendment would allow solar panels, skylights, green roofs and other rooftop features to project above a height limit, and allowing greater volume above the maximum building height to accommodate modern bulkheads, with requirements for setback and screening of equipment;

Whereas, the proposed text amendment would allow waivers of floor area and height limits for rooftop greenhouses used for educational and agricultural purposes, by certification of the Chair of the City Planning Commission, on buildings that do not contain residences or sleeping accommodations;

Whereas, the proposed text amendment would allow small wind turbines of no taller than 55 feet on buildings taller than 100 feet and on waterfront blocks to rise above a maximum building heights;

Whereas, Manhattan Community Board 10 generally supports DCP’s effort to modernize the Zoning Resolution to remove impediments to the construction and retrofitting of greener buildings, but has concerns with the more intensive uses described in the text amendment related

to rooftop greenhouses and wind turbines and therefore believes that the proposed text amendment should be modified to meet the following conditions:

- The exclusion of wind turbines from this proposed text amendment due to concerns over noise and contextual aesthetics.
- The height limits established in the 125th Street Rezoning be followed in regards to the installation of green rooftop structures.
- A change in the approval process for the installation of significant green rooftop structures (e.g. taller solar installations, rooftop greenhouses, and wind turbines) from the proposed Certification by the Chair of the City Planning Commission to the City Planning Commission Authorization process that provides Community Boards 45 days to issue its recommendations.

Therefore, be it resolved that Manhattan Community Board 10 votes to approve ULURP No N 120132 ZRY subject to the satisfaction of the above stated conditions.

At a regularly General Board Meeting on February 1, 2012, Manhattan Community Board 10 voted 14 in favor, 13 opposed, and 2 abstentions on this resolution.