

Memorandum

Date: 05/08/2019

RE: East Village – Commercial Zoning Regulations for Retail Diversity

Background

Community Board 3 has been discussing mapping a Special District to support retail diversity and preserve the unique commercial character of the neighborhood since at least 2012.

The geography being considered runs from 14th Street to Houston Street, beginning at 2nd Avenue and running east to Avenue D.

The rationale discussed for the Special District has included (1) addressing a loss of retail diversity—the district has become an increasingly one dimensional commercial area with a high concentration eating/drinking establishments; (2) encouraging daytime businesses that do not have a disruptive effect on residents; (3) addressing growing commercial vacancies in some areas; (4) promoting affordable retail and services that serve local needs.

Recent Committee Activity

The committee had originally been considering 4 significant commercial zoning regulations, to be included as part of a broadly mapped Special District, to address these issues. These include:

1. Placing restrictions on total allowable square footage of new and expanding retail and commercial establishments.
2. Prohibiting the combining of storefronts within buildings, across separate buildings, and across separate zoning lots with exceptions.
3. Allowing formula retail establishments only on 14th Street and Houston Street.
4. Placing restrictions on new eating and drinking establishments that can impact quality of life in residential areas.

The City’s **Special Enhanced Commercial District (ECD)** zoning offers both existing regulations and the flexibility for innovation to achieve these goals.

What is a Special Enhanced Commercial District?

ECDs do not change the underlying commercial zoning of an area: they add a layer of additional regulations on top of the existing zoning, which was mapped in 2008. Special Enhanced Commercial Districts are mapped over commercially zoned areas—so they could only be applied on 2nd Avenue, 1st Avenue, Avenue A, Avenue B, Avenue C, Avenue D, 14th Street and Houston Street.

The ECD offers “a la carte” regulations to choose from which can address specific needs, and can be amended to include new regulations where needed. They can be mapped on to

individual streets and commercial corridors to allow for local specificity and need on corridors with different existing conditions.

Next Steps

1. Define “General Purposes”/ ”Purpose and Need”
2. Identify which existing ECD options are appropriate for each Avenue using chart/zoning text
3. Identify what new regulations are needed to address needs
4. Outreach
 - a. Draft a working resolution to be used for outreach to elicit feedback
 - b. Develop an outreach plan