



The City of New York  
**BRONX COMMUNITY BOARD #1**

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DISTRICT MANAGER

April 2<sup>nd</sup>, 2024

NYC City Planning Commissioner Daniel Garodnick  
Equitable Life Building  
120 Broadway 31<sup>st</sup> Floor  
New York, NY 10271

Dear Honorable Garodnick:

Bronx Community #1 has voted yes on “City of Yes: Economic Opportunity” with modifications and areas of stated concerns. We acknowledge that the current zoning code in NYC is from 1961 and is extremely outdated; therefore, we applaud the Department of City Planning “DCP” for this major undertaking. However, implementing the NCAIS is a smart first step, as many cities use these methods to modernize their zoning laws. However, NYC, a city of approximately 8.34 million, is vastly different from any other city in the nation & honestly the world. The next largest city in the country is LA, with a population of 3.822 million, where everyone practically drives. Therefore, the zoning codes in NYC must be made to the needs of the residents that live here.

Our overarching concerns with this policy fall into three major concerns.

1. Housing: DCP, in their own words, stated that the “City of Yes: Economic Opportunity” is interconnected and NOT mutually exclusive to the housing opportunity policy that will be featured in April 2024, but yet we are reviewing independently from one another.

There are 18 topics within the City of Yes: Economic Opportunity. Our first opposition is Topic 5: Allow commercial uses above the ground floor in a mixed building. We vote NO on this topic because it will DIMINISH HOUSING OPPORTUNITY IN THE MIST OF A HOUSING CRISIS IN C4-C6 AREAS like the HUB.

Real estate developers create buildings to yield the most profit zoning codes allow. Therefore, new developments being built are designed with commercial space in mind. If TOPIC 5 were to be

implemented, real estate developers would create residential units with commercial space on both the first and second floor, as currently permitted in C4-C6, and now expand to floors with residential units and the rooftop. This will diminish the available residential units in the building and the available housing opportunities in C4-C6 neighborhoods overall. Often these highly commercial neighborhoods have access to multiple public transit options. Many residents in the outer borough commute to Manhattan for work and other services therefore, access to public transportation is how many individuals choose their housing opportunities.

2. Hinders small businesses and overall neighborhood experiences: DCP discusses, and the Director, Dan Garodnick, himself states that NY has returned to our pre-pandemic job total, but we can do better. CB1 agrees. He also explains that this policy aims to “help and not hinder” economic growth for entrepreneurs and small businesses and keep our city vibrant. However, the topics below, without modifications, will hinder small businesses and the vibrance of the city.

Topic 3: Allowing manufacturing users to locate in commercial zones and Topic 14: Explicitly permit micro-distribution facilities, WE VOTE YES WITH MODIFICATIONS. The first modification is that commercial entities in C4-C6 serve the community and that there is a mandatory retail component.

New Yorkers tend to spend money in their neighborhood. They rely on their neighborhood to have the necessary resources to survive, like grocery stores, restaurants, hair salons, clothing, etc. Therefore allowing manufacturing, distribution, and labs with no retail component, impacts how vibrant the community will be and the stores serve their community.

Additionally, expanding the zoning permits to permit manufacturing, micro-distribution, and labs in C4-C6 hinders small businesses in those districts. Commercial landlords will always pick the highest permissible bidder for their commercial space. This means small businesses will continuously be pushed out of neighborhoods or have limited opportunities to enter certain commercial areas.

We ask that DCP, the Bronx Borough President, and all legislatures consider affordable commercial leases for small businesses, entrepreneurs, and minority businesses. We are concerned about economic development for all NEW YORKERS, not just commercial landlords.

**Specifically, to Topic 8: Change how zoning classifies and zones life sciences, WE VOTE NO because we are concerned about high-containment research laboratories in high-density areas.**

Since 2016 the Department of Health (“DOH”) has required high-containment research laboratories (NYC Health Code & Rules §13.11), which are facilities that store and handle infectious microorganisms or hazardous biological material and operate at biosafety level (BSL) 3 or 4, as defined by the (CDC) and National Institutes for Health (NIH) to register with their agency. However, this registry is not known to the public. Yet, according to DOH, these laboratories “could have catastrophic consequences, given the population density of nearly 70,000 per square mile in Manhattan and the many other areas of high population density throughout the city.” Therefore,

we do not want to reside near these facilities to exist within the Bronx, especially within Community Board 1.

3. DCP claims for efficiency purposes, they are asking to forgo the Uniform Land Use Review Procedure (ULURP). CB1 wants efficiency but not at the expense of the democratic process. Therefore, for the following topics, we vote NO: Topic 15: Authorization for non-residential uses on large-scale residential campuses, Topic 16: Authorization for "corner store", and Topic 17: Special Permits and authorizations for bulk and use.

Community Board input alone is not enough, we are only volunteers, and much of this information is dense and often accompanied without funds for an independent expert. The amount of research required to ensure people are protected is why we elected our Borough President and City Council, who has a team of people to help research these matters objectively. We rely on our city council members for research and protection. As a result, though we support efficiency and recognize these processes can take up to 205 days, things cannot be rushed in a city of 8.3 million people.

Sincerely,



Clarisa Alayeto  
Chairperson



Anthony R. Jordan  
District Manager

CC Honorable Diana Ayala  
NYC Deputy Speaker/Councilmember  
New York City Council District 8

Honorable Rafael Salamanca  
Councilmember  
New York city Council District 17