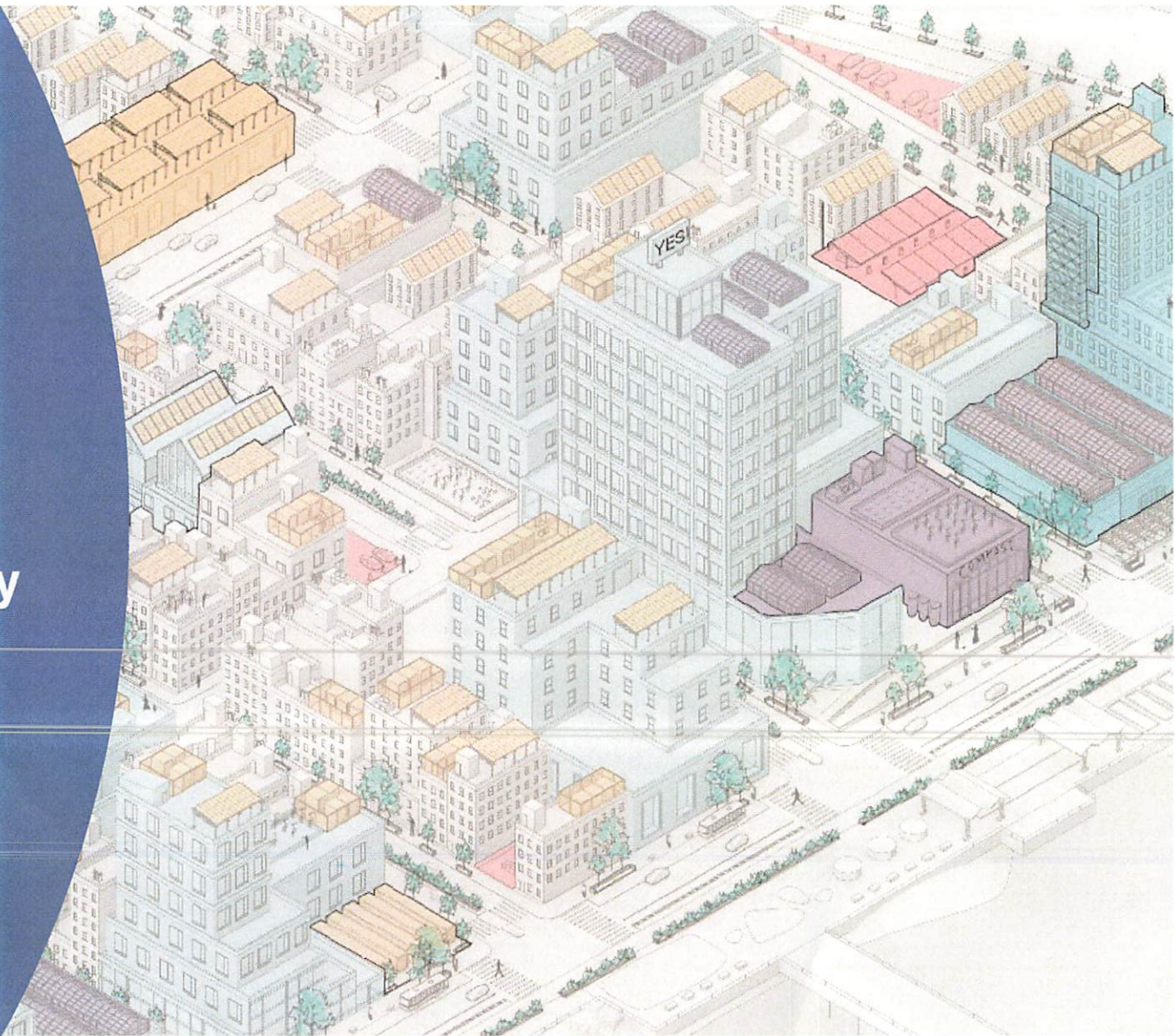
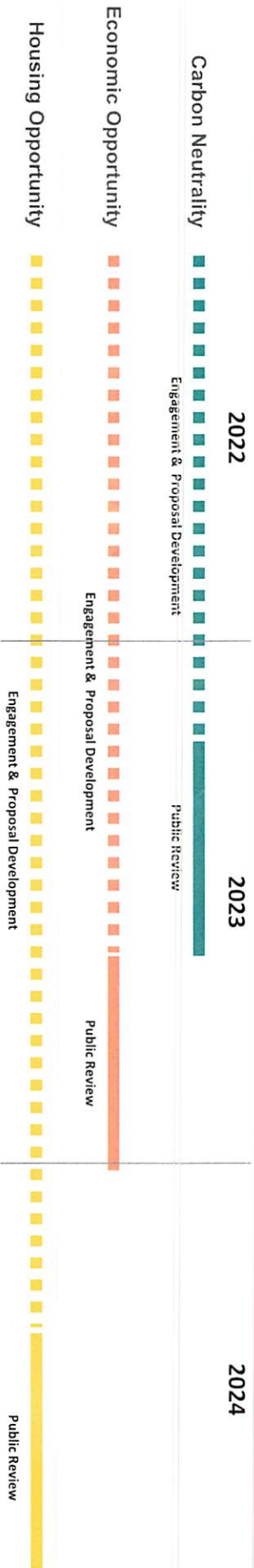


city of **yes**

city of **solar**  
city of **health**  
city of **energy**  
city of **carbon neutrality**  
city of **resilience**

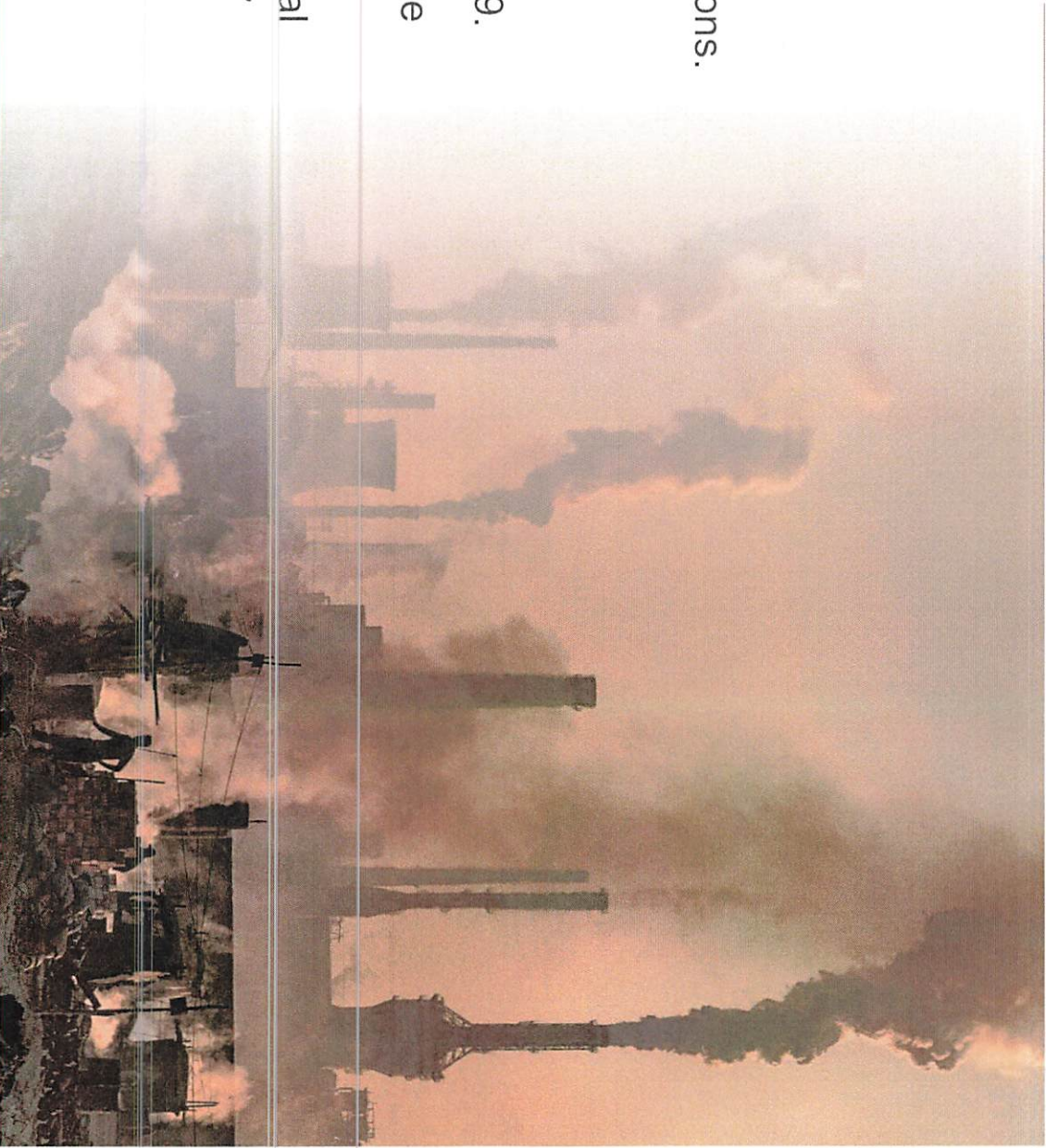




## Recap

# Why carbon?

- We are in a **climate emergency**, caused by greenhouse gas emissions.
- Carbon dioxide ( $\text{CO}_2$ ) is the **primary greenhouse gas** (GHG) emitted through human activities - **80% of US GHG** emissions in 2019.
- $\text{CO}_2$  is largely produced through the **burning of fossil fuels**
- Paris Agreement aims to limit global warming to  $2^\circ\text{C}$  and **avoid greater climate damage** by curbing GHG

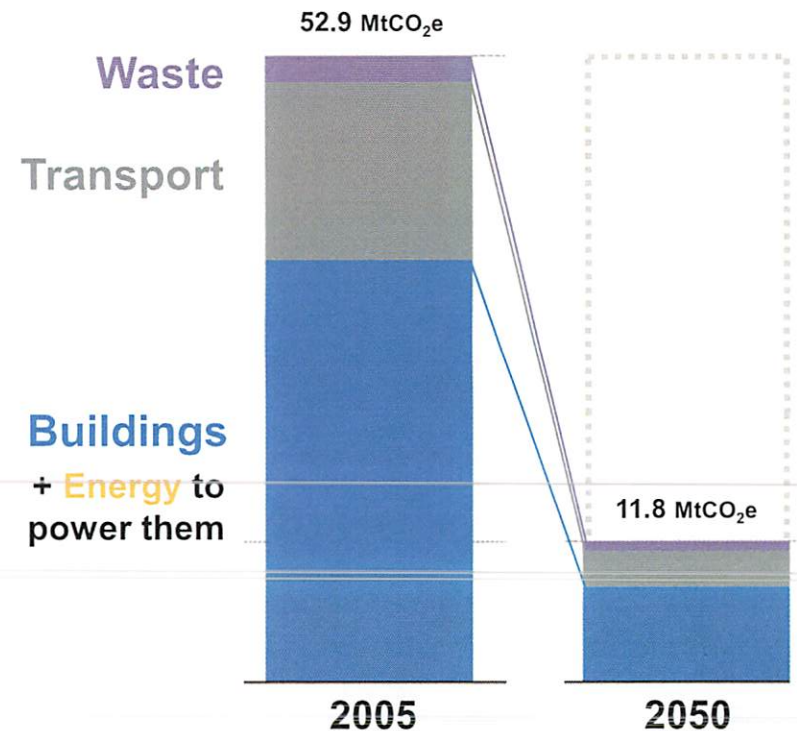


Recap

## What do we mean by a "carbon-neutral city"?

It's a city where we've...

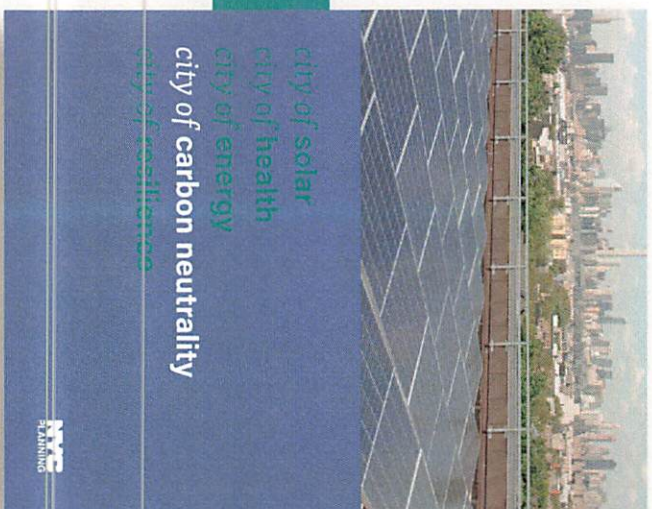
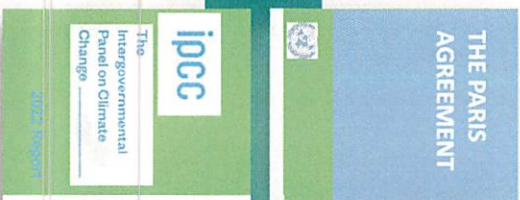
- 1. Reduced our energy needs**  
(retrofit buildings to be efficient)
- 2. Cleaned the grid**  
(decarbonize the source of electricity)
- 3. Electrified buildings + vehicles**  
(all remaining energy needs are powered by the clean electric grid)



Necessary operational carbon reductions to meet 2050 goals, in millions of metric tons of carbon dioxide equivalent.  
Source: NYC's Roadmap to 80x50

Recap

# What has New York City already done?



**2012:** Designed to support elective, progressive experiments with “green building features”

**2023:** Respond to the climate crisis by removing zoning impediments to urgent retrofitting work, solar, energy storage, and EVs

# Engagement process to date



to date:

**Four** open-to-the-public pre-referral info sessions

**100+** meetings with stakeholders

**Two** in-depth working sessions convened with Urban Green Council

## Where do we need to go? How can zoning help?

Meeting the challenge of our climate crisis is a massive undertaking.

We've worked with our partner agencies, as well as dozens of non-profit and private-sector groups, to understand what they're working on – **and how zoning can help support their efforts.**



Inclusion here does not necessarily indicate endorsement.

Goal 1

## Decarbonize our energy grid

By 2040, the New York energy grid must be 100% renewably-based

see: 2019 NYS CLCPA

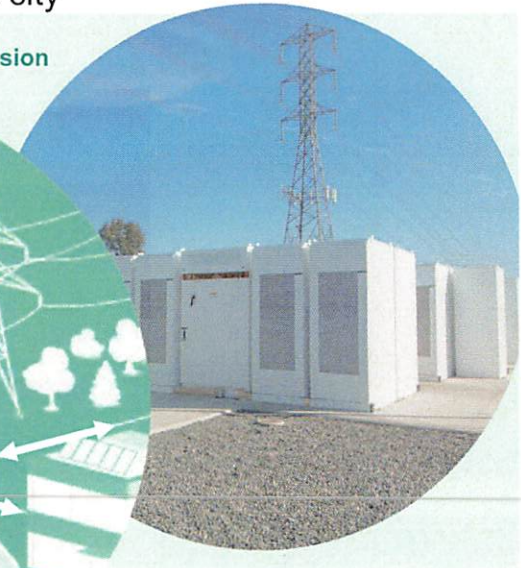
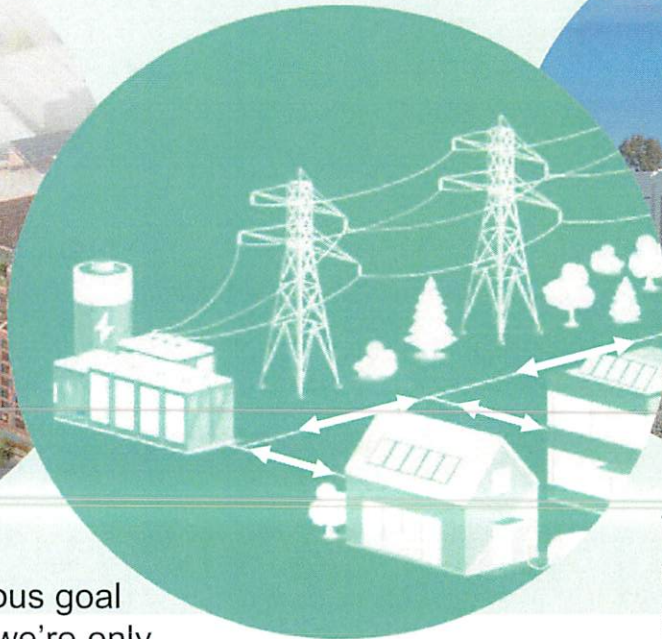


Since 2016, we have an ambitious goal for solar in NYC – and to date, we're only a third of the way there.

see: 2016 Climate Week NYC

The grid of the future will be less centralized with 'distributed resources' spread across the city

see: 2015 NYS Reforming the Energy Vision



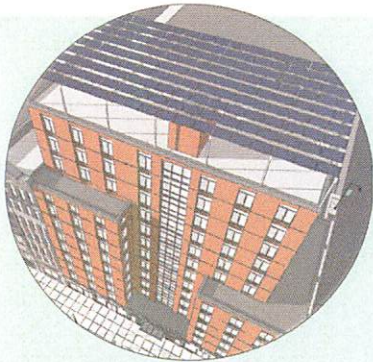
To store clean energy, and respond to demand, gigawatts of local energy storage will be crucial.

see: 2022 State of the State



Goal 1

## Decarbonize our energy grid



### 1. Rooftop solar:

remove zoning impediments to allow up to 100% coverage



### 2. Parking lots:

ensure zoning always allows solar canopies



### 3. Community Solar:

allow renewable energy generation in all zoning districts



### 4. Energy Storage:

allow some facilities as-of-right in all zoning districts



### 5. On-shore wind:

create a tool for future review of proposed wind

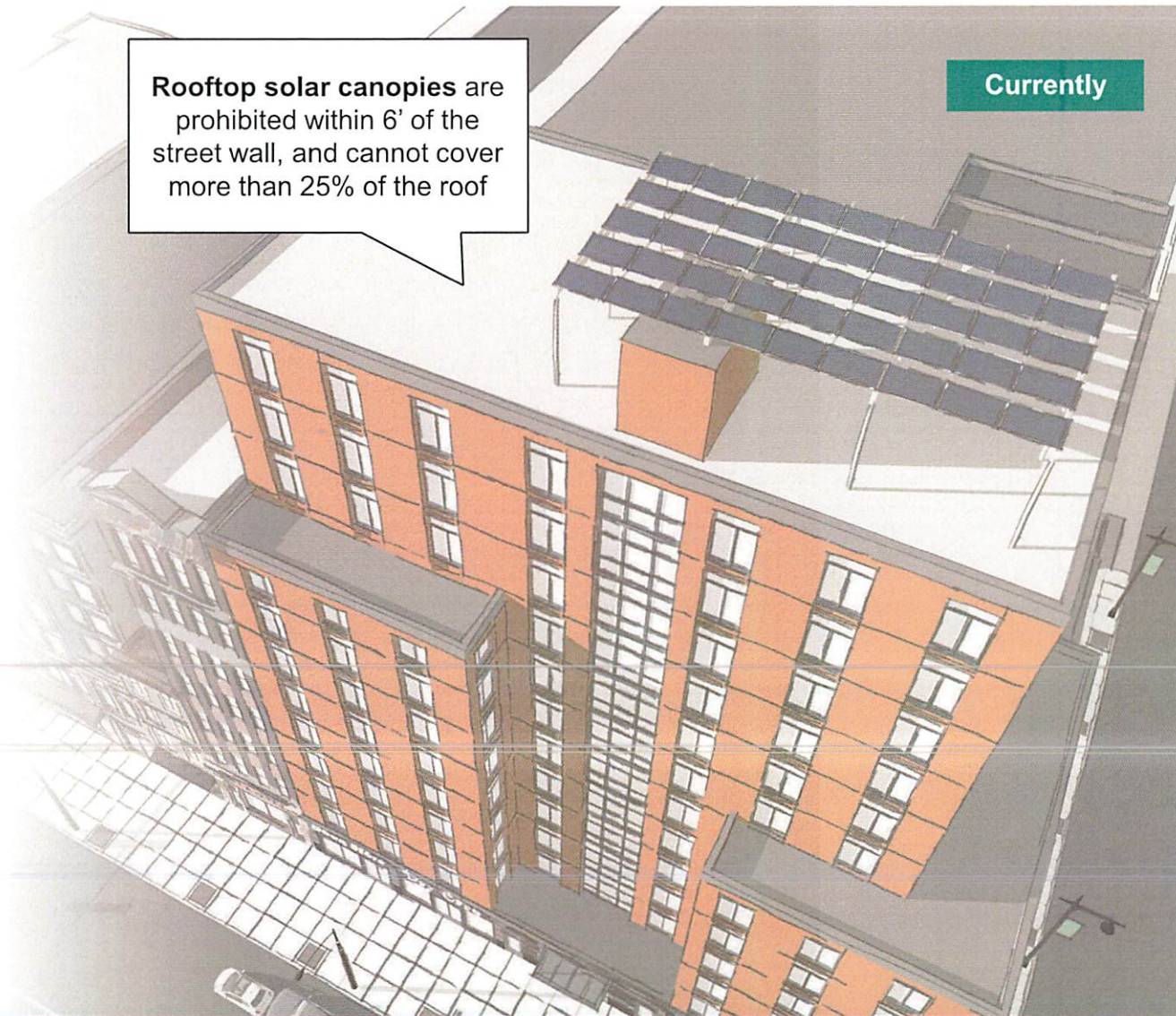
## Solar on building rooftops (flat)

### Currently:

- 6-foot height limit in R1-R5 zoning districts
- 15-foot height limit in R6 and denser zoning districts and commercial and manufacturing zoning districts
- 25% maximum coverage and 6-foot setback from the façade

### Issue:

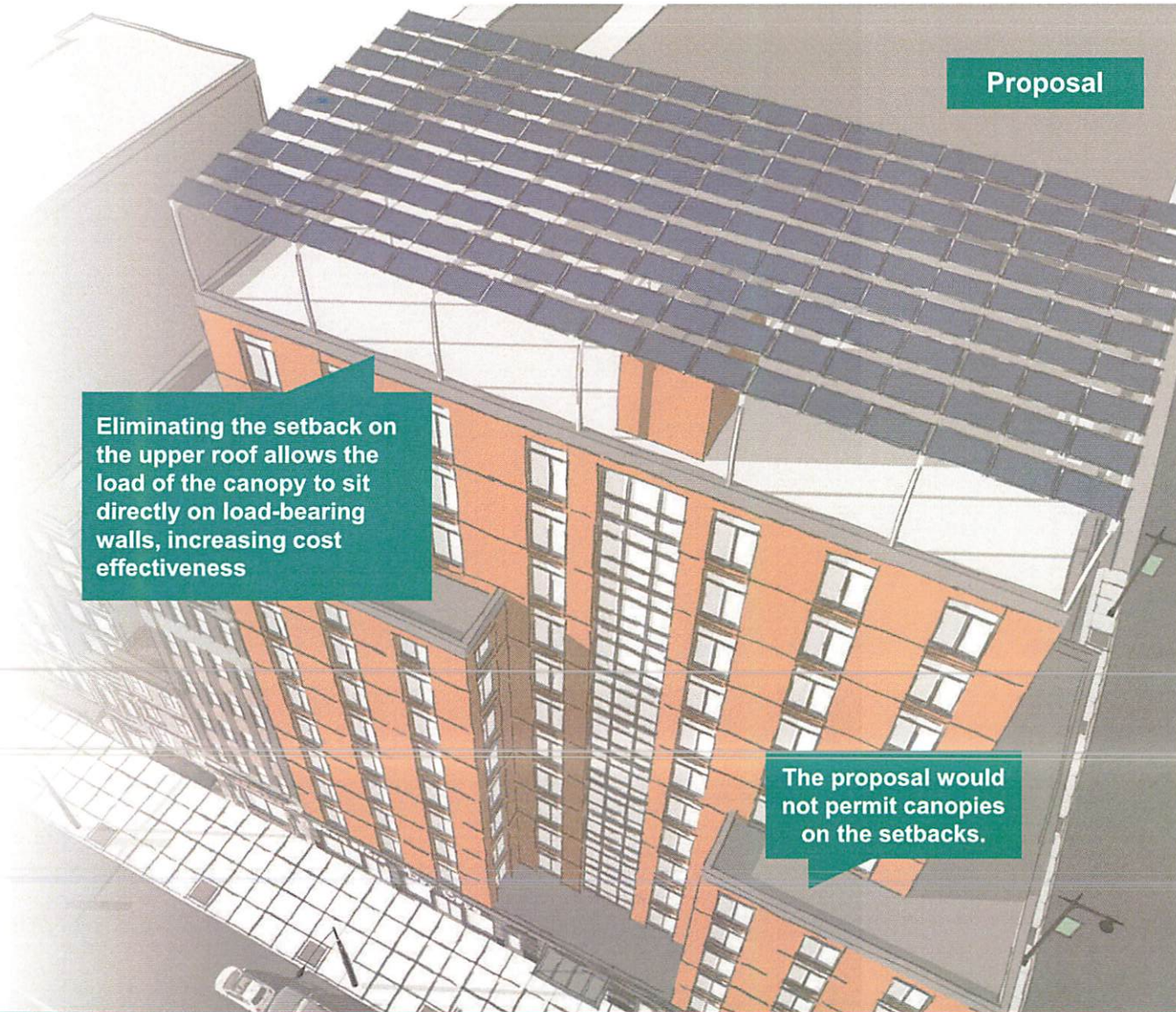
- Limits amount of solar installation
- Creates feasibility problems for some solar installation configurations



## Solar on building rooftops (flat)

### Proposal:

- **15-foot height limit** in all zoning districts
- **No** maximum coverage or setback requirements



## Solar on building rooftops (sloped)

### Currently:

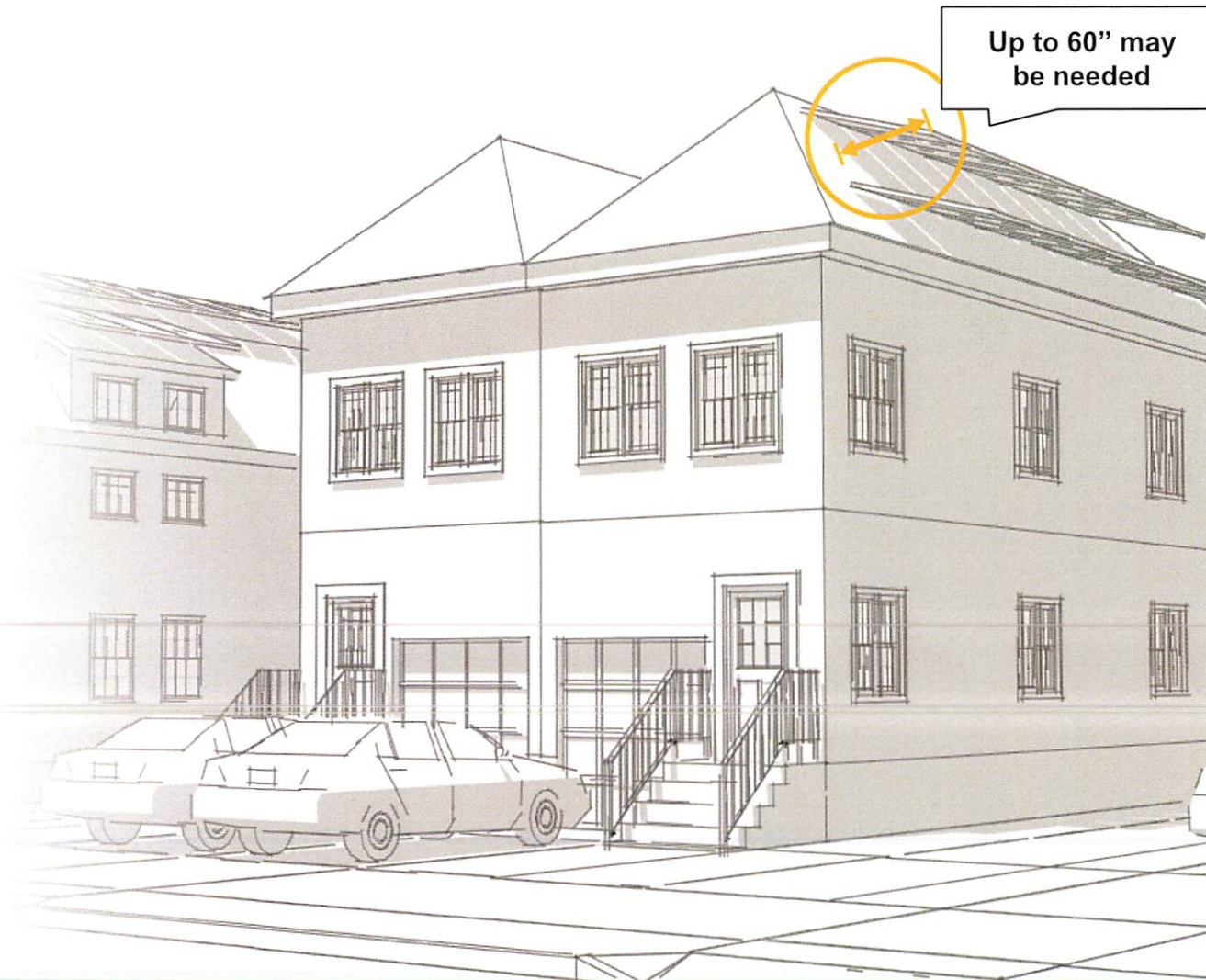
- Solar panels on sloped roofs are above the height limit are limited to 18 inches

### Issue:

- Solar panels cannot be tilted to catch more sun due to height limitation

### Proposal:

- Expand height limit to **60 inches**



## Solar canopies over parking areas

### Currently:

- Accessory off-street parking spaces can obstruct some required open spaces

### Issue:

- “Solar awnings/canopies” are not always permitted in the same areas as parking, preventing their installation

### Proposal:

- Allow solar awnings / canopies (pictured at right) can cover parking areas by adding them as 'permitted obstructions'



## Community solar + other renewable energy

### Currently:

- “Non-accessory” solar generation is a commercial use in zoning

### Issue:

- Solar arrays are limited in size to remain an accessory use in many parts of the city

### Proposal:

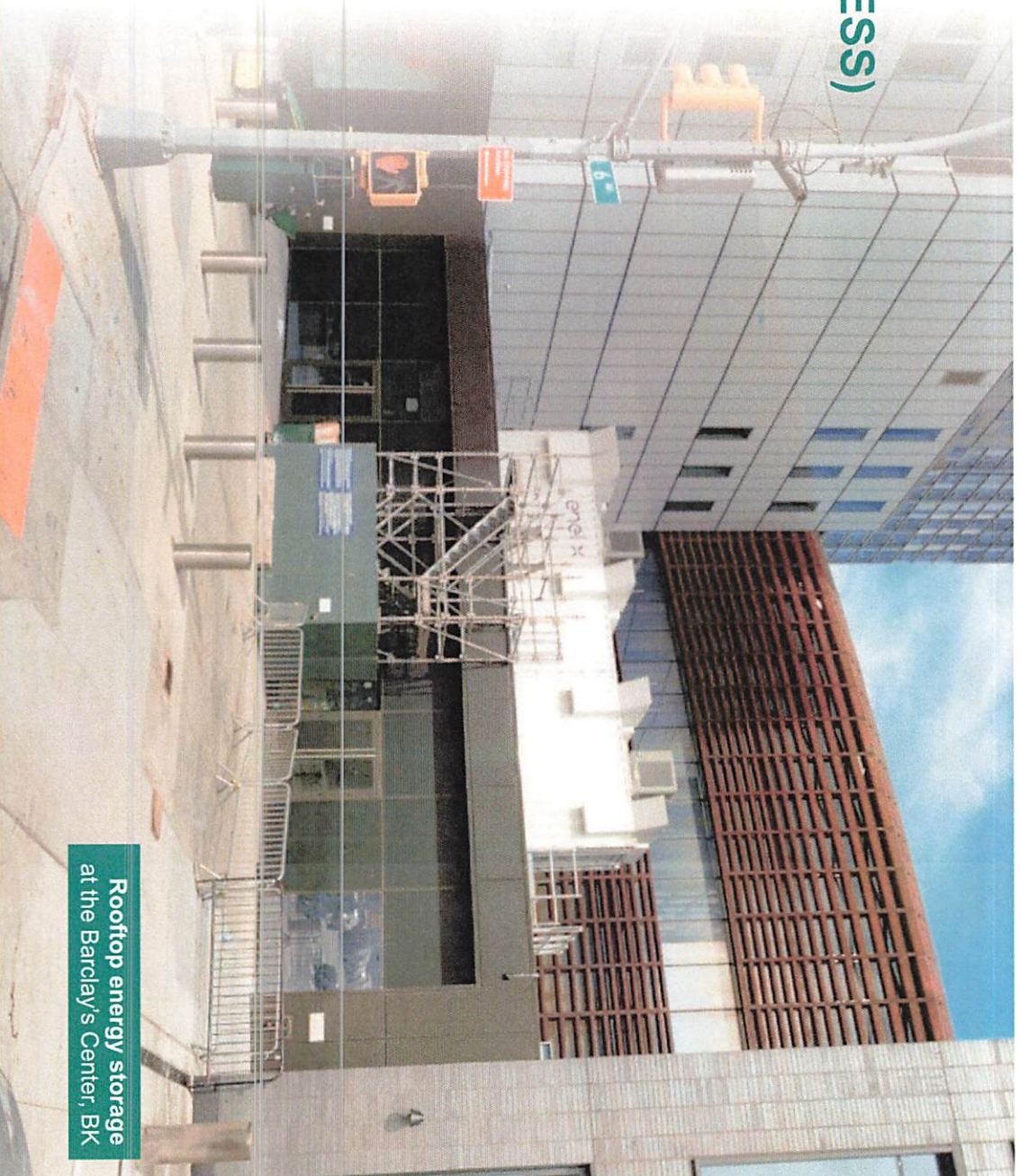
- Reclassify this use as “energy infrastructure equipment (EIE)” and permit installations of <math><10,000\text{ ft}^2</math> in Residential zoning districts as-of-right



## Energy storage systems (ESS)

### What is energy storage?

- Battery-based systems are extremely safe and different from e-bike batteries
- Each facility is essentially custom-designed and installed by specially-trained engineers and electricians
- All installations must use technologies pre-approved by FDNY
- All installations must be reviewed on a site-specific basis by DOB, and large systems must also be reviewed by FDNY



Rooftop energy storage  
at the Barclay's Center, BK

## Goal 2

# Decarbonize our building stock

Our buildings are NYC's biggest source of CO<sub>2</sub> emissions

see: 2019 NYS CLCPA

To decarbonize our building stock, virtually every one of our city's 1,000,000+ buildings will need to be retrofit.

2015 Roadmap to 80x50

Windows and walls will need to be improved or replaced with new efficient ones.

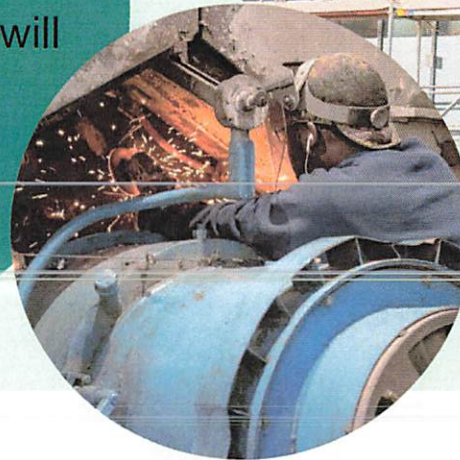


Large buildings (> 25,000 sf) that fail to cut their CO<sub>2</sub> emissions will face steep fines

2019 NYC Climate Mobilization Act (Local Law 97)

New buildings will be prohibited from installing fossil-fuel equipment  
Local Law 154

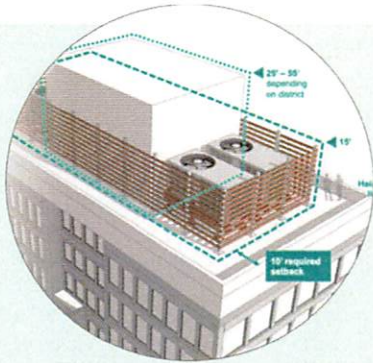
Boilers and furnaces will need to be replaced with all-electric heat pumps





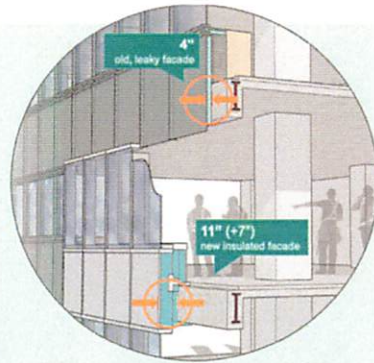
## Goal 2

# Decarbonize our building stock



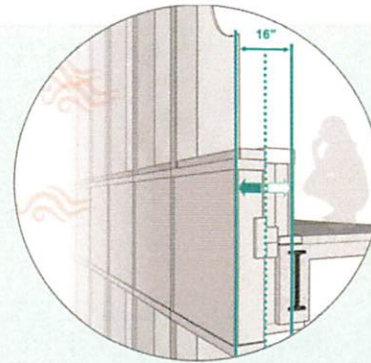
### 6. Electrification retrofits:

expand rooftop and yard allowances to accommodate increased need for outdoor electrified equipment like heat pumps



### 7. Building exterior retrofits:

fix rules to ensure that the widest range of exterior retrofits are allowed.



### 8. Fix Zone Green:

update and improve this floor area exemption to ensure it continues to promote better-than-code performance.



### Funding?

NYC Accelerator from the MOCEJ can help connect homeowners to funding assistance.

## Retrofitting mechanical equipment for electrification

### Currently:

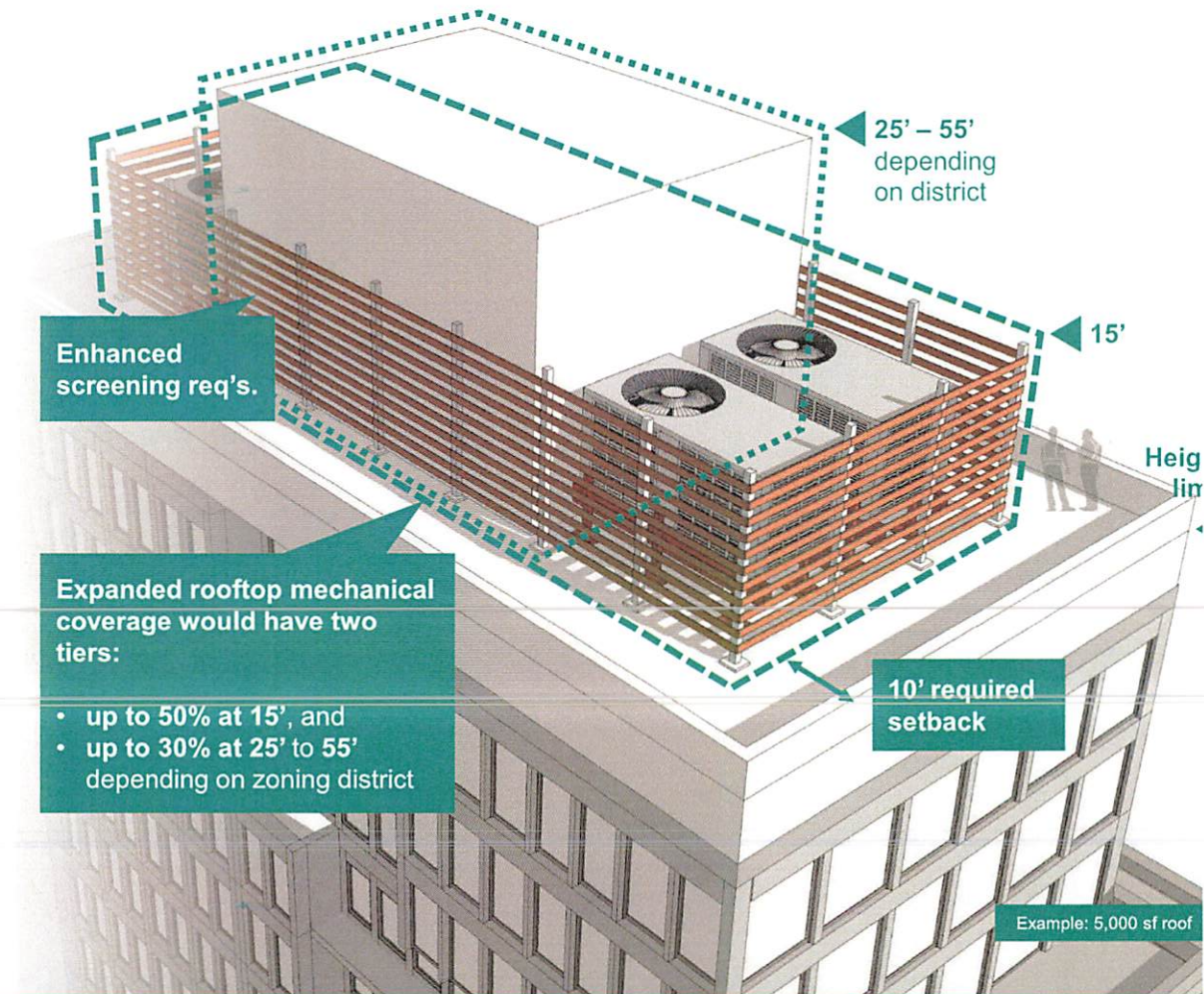
- Rooftop mechanical equipment is limited by coverage and height

### Issue:

- Boilers in the basement need to be replaced with outdoor heat pumps, typically on the roof

### Proposal:

- Apply zoning allowances for buildings in the floodplain to the citywide context
- Expand screening requirements to all rooftop mechanical equipment



## Allowing envelope retrofits to meet code

### Currently:

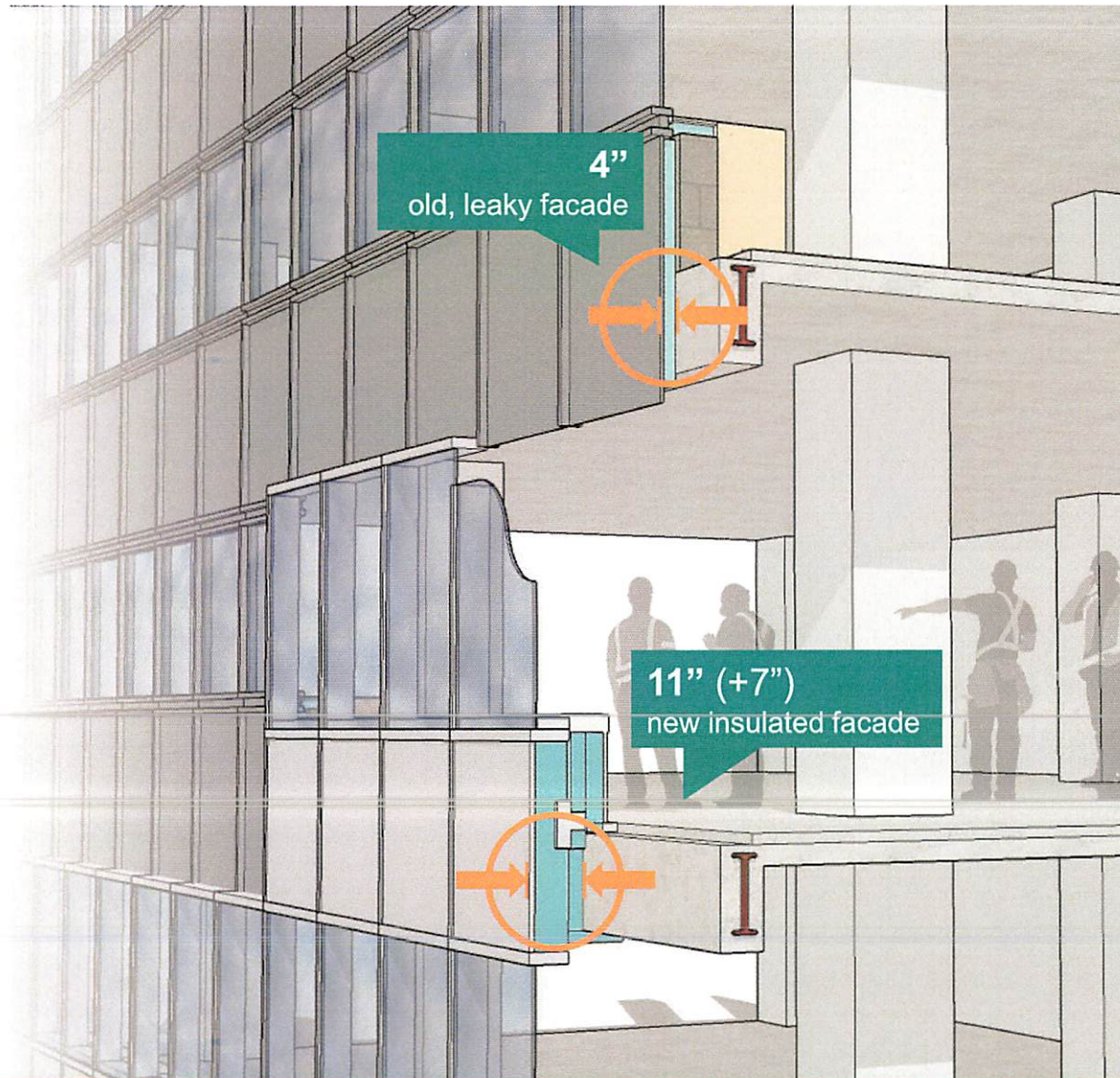
- Wall thickness is “floor area”

### Issue:

- Existing buildings cannot be retrofitted to have better-performing walls if there is insufficient floor area allowed

### Proposal:

- Allow additional wall thickness up to 8 inches, provided the new wall complies with the latest thermal barrier requirements in the NYC Energy Code
- Allow flat 5% floor area exemption for building envelopes that meet “ultra-low-energy” usage standards

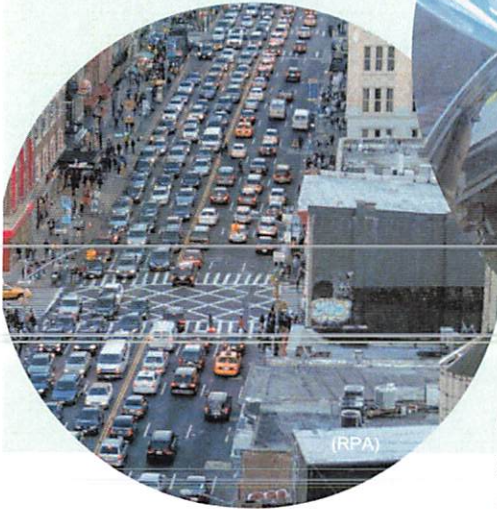


### Goal 3

## Decarbonize our vehicles

Less than 1% of the 2,000,000 cars registered in NYC are zero-emission.

see: [NYS DMV, 2021](#)



One of the biggest hurdles to achieving **EV adoption** is finding a place to charge overnight.

see: [The New York Times](#)

By 2035, all vehicles sold in NYS must be EV; demand for charging will rapidly increase

see: [NYS Adv. Clean Cars II](#)

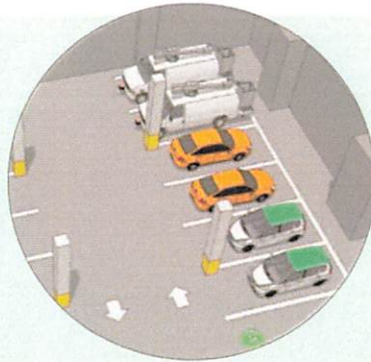


A one-to-one transition to EVs is not the solution. We also need to promote greater use of **bicycles**, **e-mobility**, and **mass transit**.

see: [2016 PlaNYC](#)

Goal 3

## Decarbonize our vehicles



**9. Vehicle charging:**  
allow public charging stations to locate in all Commercial Districts (not just some)

**10. Charge-sharing:**  
allow 20% of parking spaces to be shared with the public in most residential districts and all non-residential districts

**11. Parking flex:**  
streamline car-sharing, car rental, and commercial parking rules in non-residential facilities

**12. Automated parking:**  
expand rules to encourage more automated facilities outside existing areas

**13. Bike parking:**  
add rules for storage and charging

## Charge Sharing & Flex parking:

### Currently:

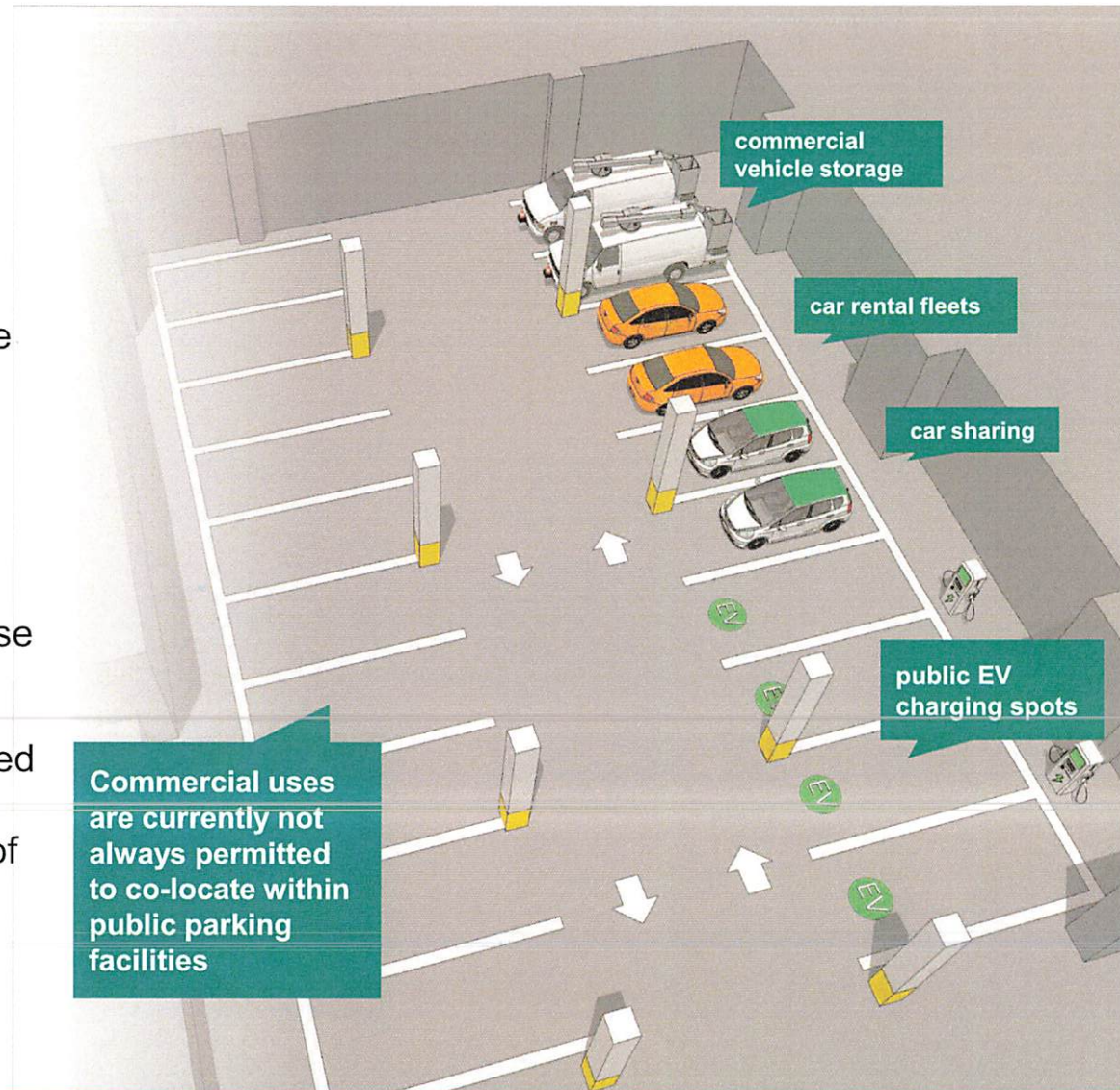
- Accessory EV stations are allowed
- Car sharing, rental, and commercial storage are regulated separately
- Some car sharing parking is allowed

### Issue:

- Rules are varied, confusing, and limited
- Accessory EV stations not open to public use

### Proposal:

- Expand 20% of accessory parking to be used for public EV charging, car sharing, and commercial vehicle storage, or a mix thereof in most residential and all commercial and manufacturing districts
- Allow 50% of spaces in public lots and garages (100% may be EV charging)



## Bicycle and e-mobility: storage & charging uses

### Currently:

- No use regulations for bicycles and other e-mobility transportation

### Issue:

- There is regulatory uncertainty around where **bike / micromobility parking facilities** are permitted

### Proposal:

- Create a new commercial use for public bicycle and micromobility parking
- Provide for secure outdoor bike storage lockers as permitted obstructions in yards & open spaces

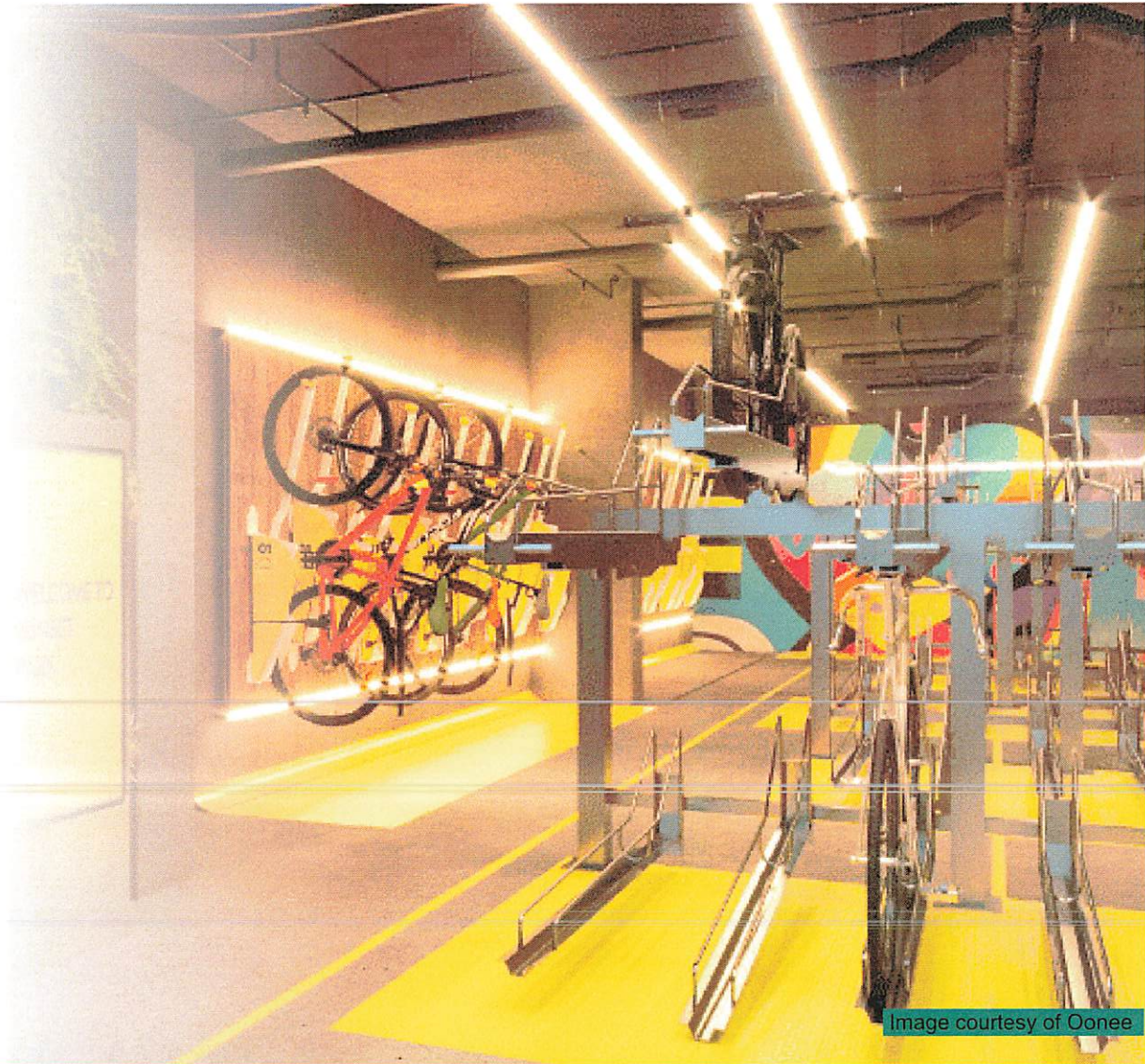


Image courtesy of Oonee

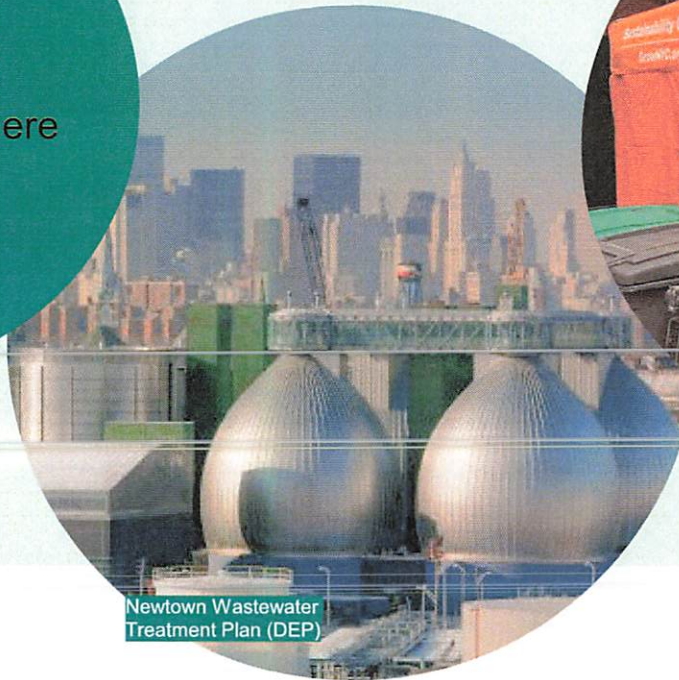
Goal 4

# Decarbonize our waste streams

Our waste stream only accounts for 4% of our City's greenhouse gas footprint – but there are some **clear steps** to take.

80x50

Reducing stormwater runoff also reduces the need for energy-intensive stormwater treatment



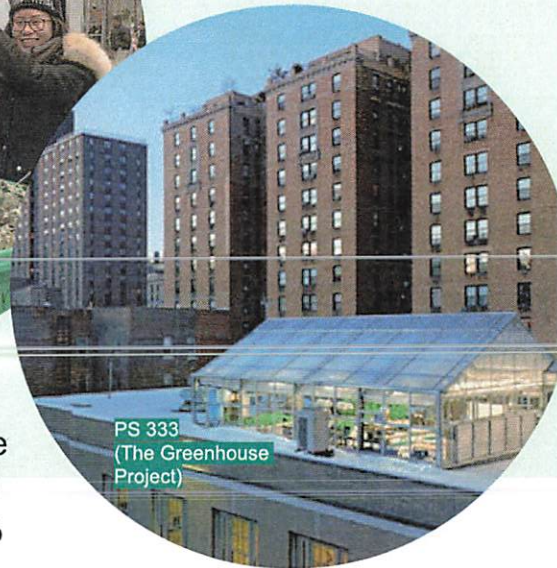
Newtown Wastewater Treatment Plant (DEP)



Organics Drop-off (GrowNYC)

By diverting organic material from the waste stream, we can reduce our solid waste by **45%**

Supporting local food systems can also play a role in reducing CO<sub>2</sub> associated with food.



PS 333 (The Greenhouse Project)



## Goal 4

# Decarbonize our waste streams



**14. Porous paving:**  
clarify language to ensure permeable paving is allowed



**15. Street Trees:**  
update rules to accommodate new rain gardens and connected tree beds



**16. Organics:**  
add new use regulations clarifying when composting and recycling are allowed



**17. Rooftop greenhouses:**  
simplify the process for adding them by allowing as-of-right

# Clarify regulations for composting & recycling

## Currently:

- Zoning doesn't mention "composting" or "recycling" at all.

## Issue:

- Confusion on where composting and recycling are allowed to occur. (DSNY's only compost facility is classified as a "dump" and located in a heavy M3 District on Staten Island.)

## Proposal:

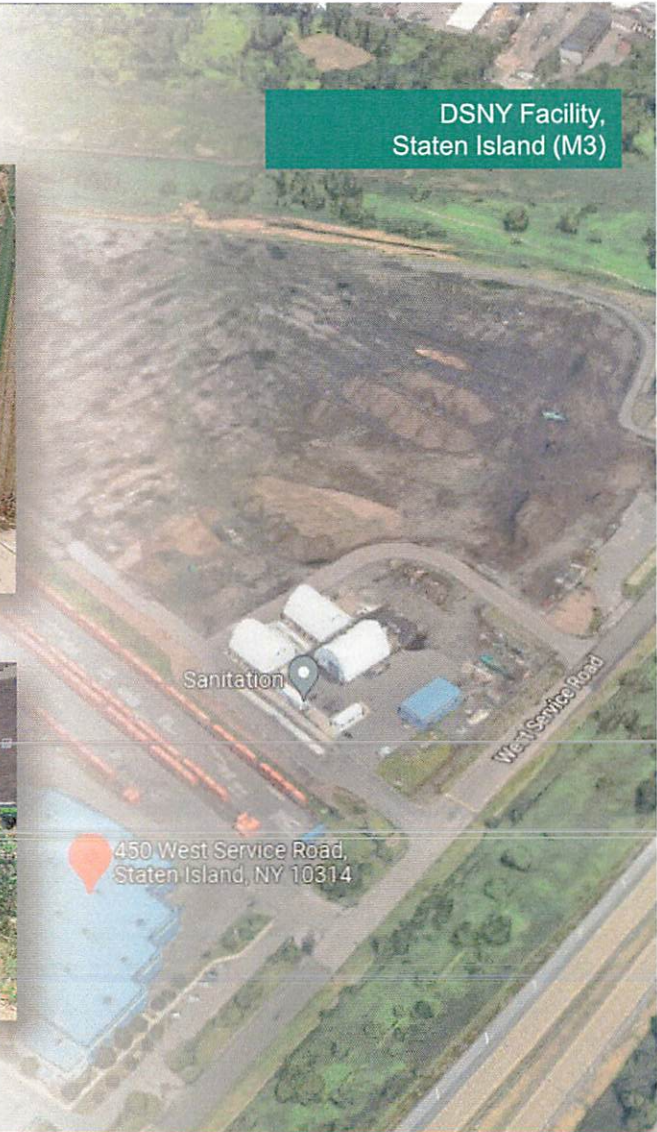
- Clarify that small-scale composting can be considered an "accessory use"
- Neighborhood-focused recycling facilities can locate in commercial storefronts
- Large-scale facilities should continue to locate in Manufacturing Districts



Community garden, Manhattan (C1/R7A)



Community garden, Brooklyn (M1)



DSNY Facility, Staten Island (M3)

Sanitation

450 West Service Road, Staten Island, NY 10314

# Facilitate rooftop food production

## Currently:

- Rooftop greenhouses are allowed atop **non-residential buildings**, beyond maximum FAR and height limits

## Issue:

- CPC certification is required despite few straightforward requirements for applicants – increasing the cost and process and discouraging projects.

## Proposal:

- Change the rooftop certification to an as-of-right allowance. (Proposals would still be evaluated for compliance by DOB.)

### 75-01 Certification for Rooftop Greenhouses

LAST AMENDED 4/30/2012 HISTORY

A rooftop greenhouse shall be excluded from the definition of *floor area* and may exceed *building* height limits, upon certification by the Chairperson of the Commission that such rooftop greenhouse:

- (a) is located on the roof of a *building* that does not contain residential sleeping accommodations;
- (b) will only be used for cultivation of plants, or primarily for cultivation, *accessory* to a *community facility use*;
- (c) is no more than 25 feet in height;
- (d) has roofs and walls consisting of at least 70 percent transparent material permitted pursuant to paragraph (f)(3) of this Section;
- (e) where exceeding *building* height limits, is set back from the *street* immediately below by at least six feet on all sides; and
- (f) has been represented in plans showing:
  - (1) the area and dimensions of the proposed greenhouse, the location of the existing or proposed *building* upon which the greenhouse is located, and access to and from the *building* to the greenhouse;
  - (2) that the design of the greenhouse incorporates a rainwater reuse system; and
  - (3) any portions of the greenhouse dedicated to office or storage space, to the greenhouse, which shall be limited to 20 percent of the total area of the greenhouse, and shall be exempt from the transparency requirement in paragraph (d) of this Section.



Whole Foods, BK



Friends Seminary, MN

# Summary of proposal



## ENERGY

1. **Rooftop solar:** removing zoning impediments.
2. **Solar parking canopies:** remove zoning impediments to allow.
3. **Solar:** ensure standalone generation is allowed
4. **On-shore wind:** add a new tool for the CPC to consider future applications
5. **Energy storage (ESS):** add new rules to allow grid-supporting ESS in a wide range of zoning districts



## BUILDINGS

6. **Electrification retrofits:** expand rooftop and yard allowances to accommodate increased need for outdoor electrified equipment like heat pumps
7. **Building exterior retrofits:** fix rules to ensure that the widest range of exterior retrofits are allowed.
8. **Fix Zone Green:** update and improve this floor area exemption to ensure it continues to promote better-than-code performance.



## TRANSPORTATION

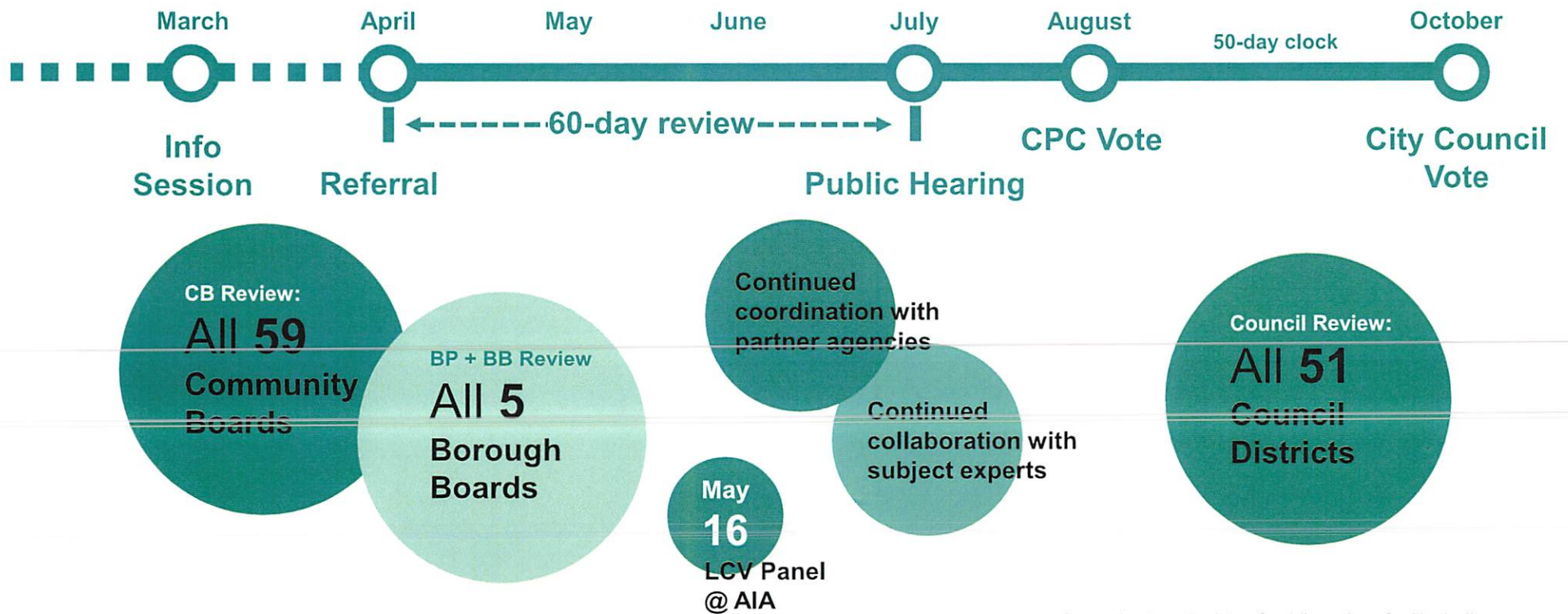
9. **Vehicle charging:** expand allowance to all Commercial Districts
10. **Charge-sharing:** allow a % of residential spaces to be shared w/ the public
11. **Parking flex:** streamline car-sharing, car rental, and commercial parking rules
12. **Automated parking:** expand rules to encourage more automated facilities
13. **Bike parking:** add rules for storage and charging



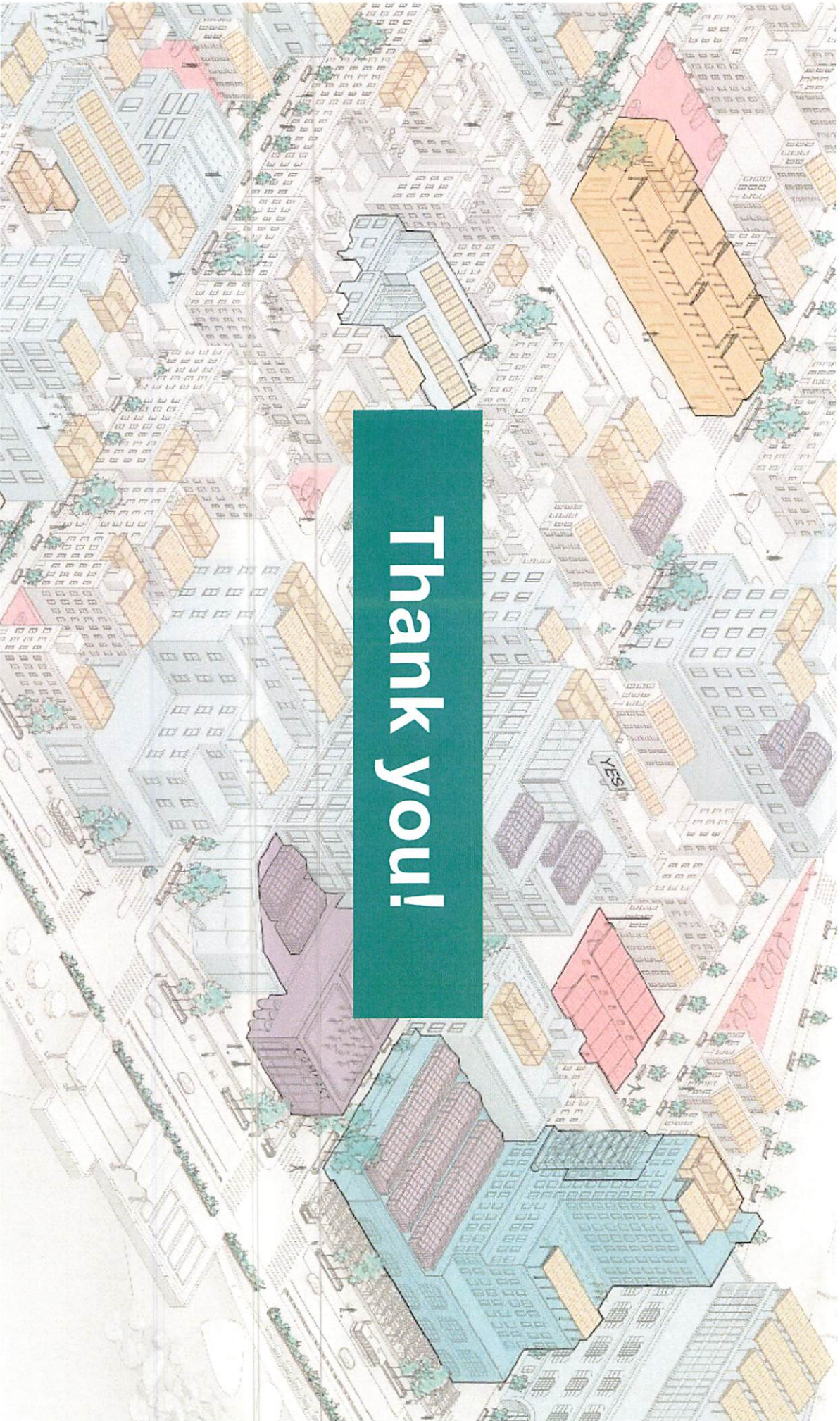
## WASTE & WATER

14. **Porous paving:** clarify language to ensure permeable paving is allowed.
15. **Street Trees:** update rules to accommodate new raingarden prototypes
16. **Organics:** add new use regulations clarifying when composting and recycling are allowed.
17. **Rooftop greenhouses:** simplify the process to allow them as-of-right

# Beginning the public review process



*Approximate schedule of public review, for illustrative purposes only*



Thank you!

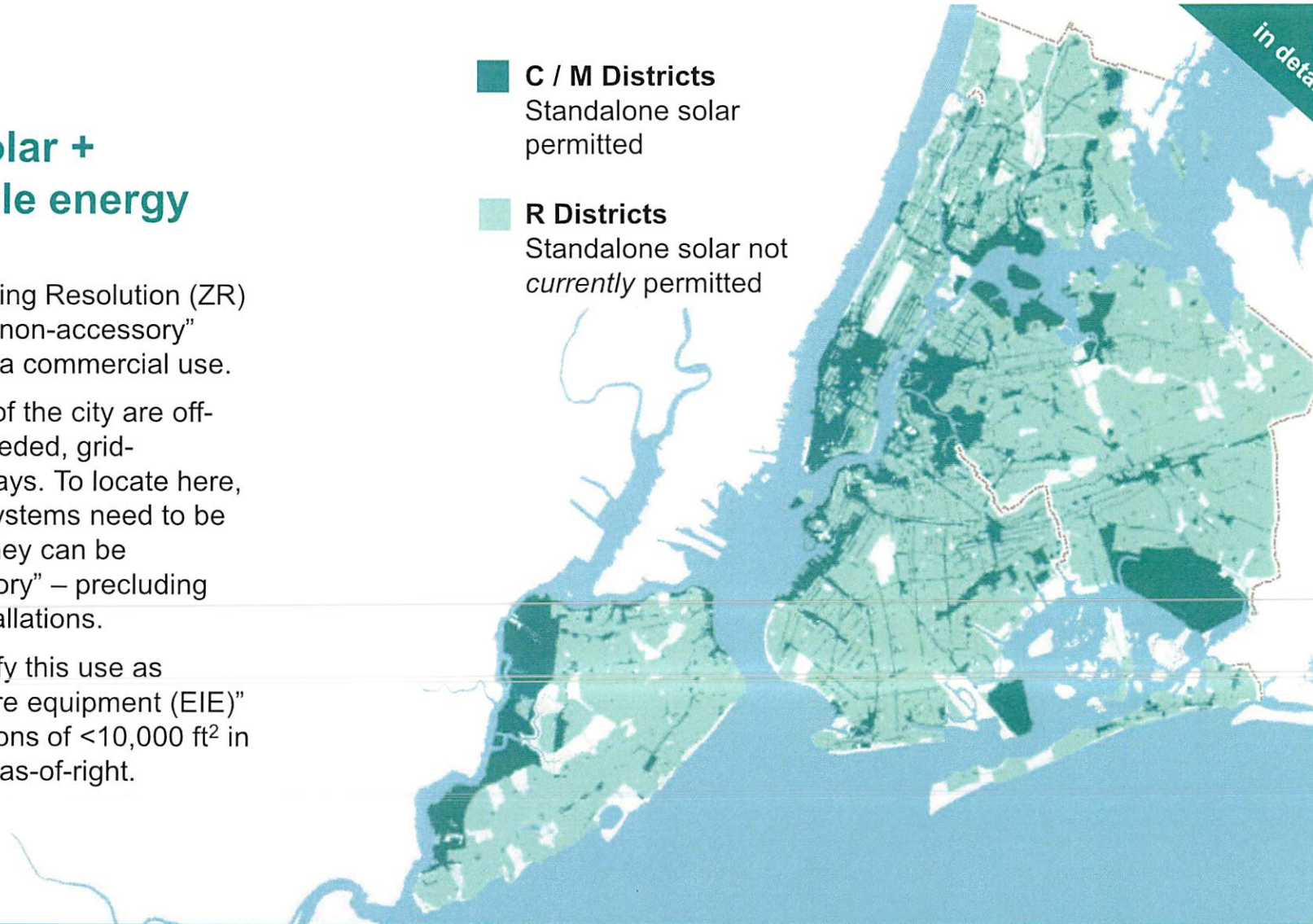
# Appendix

### Proposal 3

## Community solar + other renewable energy

- **Currently:** The Zoning Resolution (ZR) currently classifies “non-accessory” solar generation as a commercial use.
- **Issue:** Large parts of the city are off-limits to crucially-needed, grid-supporting solar arrays. To locate here, solar and storage systems need to be kept small so that they can be considered “accessory” – precluding grid-supporting installations.
- **Proposal:** Reclassify this use as “energy infrastructure equipment (EIE)” and permit installations of <10,000 ft<sup>2</sup> in Residence Districts as-of-right.

- **C / M Districts**  
Standalone solar permitted
- **R Districts**  
Standalone solar not *currently* permitted





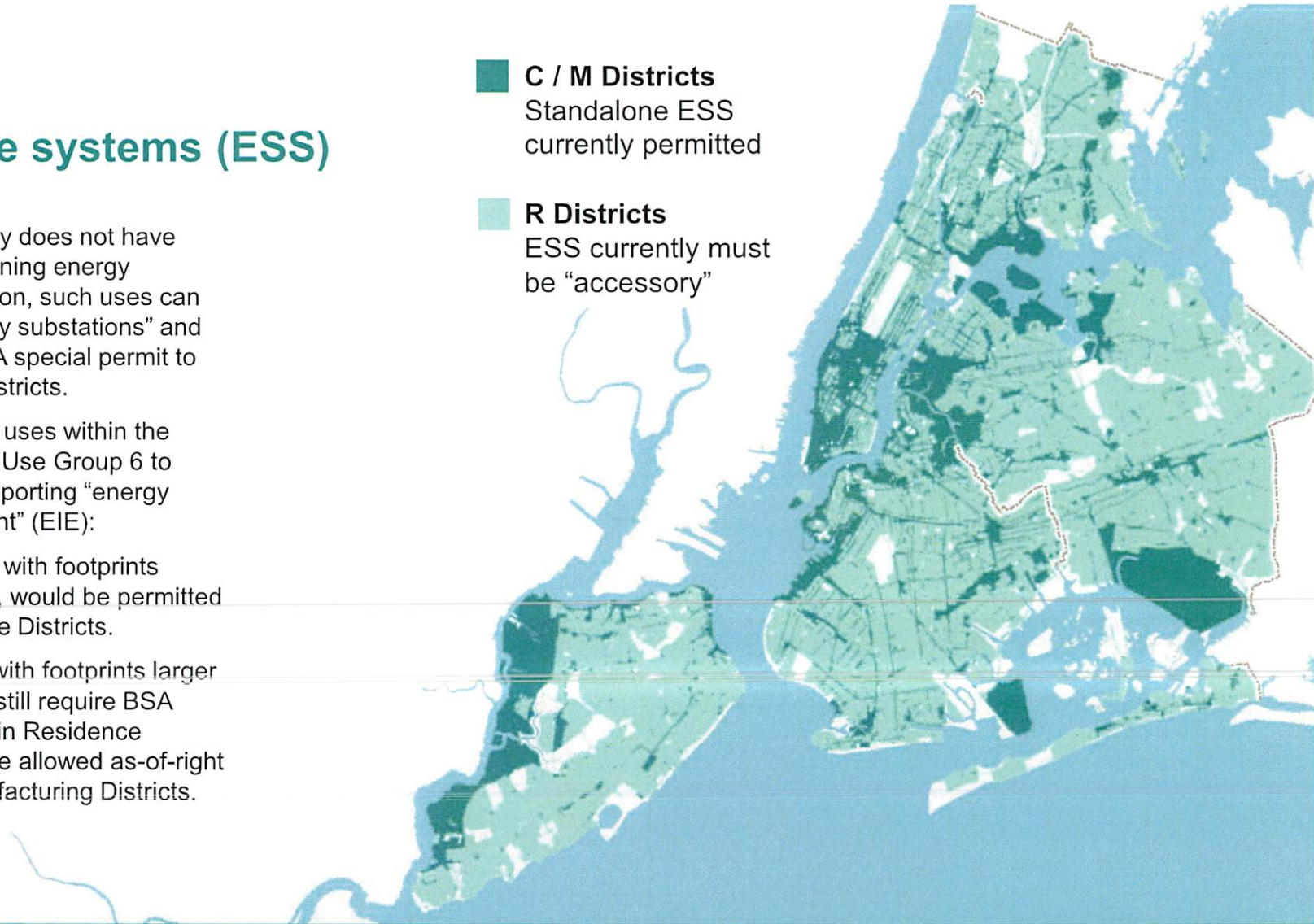
## Proposal 4

# Energy storage systems (ESS)

- **Issue:** The ZR currently does not have clear regulations governing energy storage. By interpretation, such uses can qualify as “electric utility substations” and thus must obtain a BSA special permit to locate in Residence Districts.
- **Proposal:** Create new uses within the ZR’s Use Group 4 and Use Group 6 to accommodate grid-supporting “energy infrastructure equipment” (EIE):
- **Smaller installations**, with footprints smaller than 10,000 ft<sup>2</sup>, would be permitted as-of-right in Residence Districts.
- **Larger installations**, with footprints larger than 10,000 ft<sup>2</sup>, would still require BSA review before locating in Residence Districts. They would be allowed as-of-right in Commercial + Manufacturing Districts.

**C / M Districts**  
Standalone ESS  
currently permitted

**R Districts**  
ESS currently must  
be “accessory”



in detail

Proposal 4

# Energy storage systems (ESS)

	R Districts	C Districts	M Districts
Accessory solar / wind Accessory ESS	Permitted AOR	Permitted AOR	Permitted AOR
Electric utility substation <10k sf	BSA permit needed	Permitted AOR	Permitted AOR
Electric utility substation 10k-40k sf	BSA permit needed	BSA permit needed	Permitted AOR
Electric utility substation >40k sf	CPC permit needed	CPC permit needed	Permitted AOR



	R Districts	C Districts	M Districts
Accessory solar / wind Accessory ESS	Permitted AOR	Permitted AOR	Permitted AOR
Energy infrastructure equipment ≤10k sf	<u>Permitted AOR</u>	Permitted AOR	Permitted AOR
Energy infrastructure equipment >10k sf	<u>BSA permit needed</u>	<u>Permitted AOR</u>	Permitted AOR
Electric utility substation regs will remain for actual substations	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>

- + Clarifications that accessory energy storage + electrical equipment is included in “mechanical” floor area exemption
- + Clarifications allowing within rooftop mech. obstructions

\* ESS Installations will always require safety review by DOB, and for systems >250kW, FDNY as well.

## Proposal 5

# New authorization for on-shore wind

- **Currently:** Along the waterfront, on-shore wind turbines must comply with strict height limits (*see table at right*).
- **Issue:** Some installations may need greater height flexibility. However, there is no tool to allow the CPC to consider such applications.
- **Proposal:** Create a new authorization that will allow the CPC to consider future applications for height & setback relief to facilitate on-shore wind. (*This proposal itself will not change the height limits for on-shore wind.*)

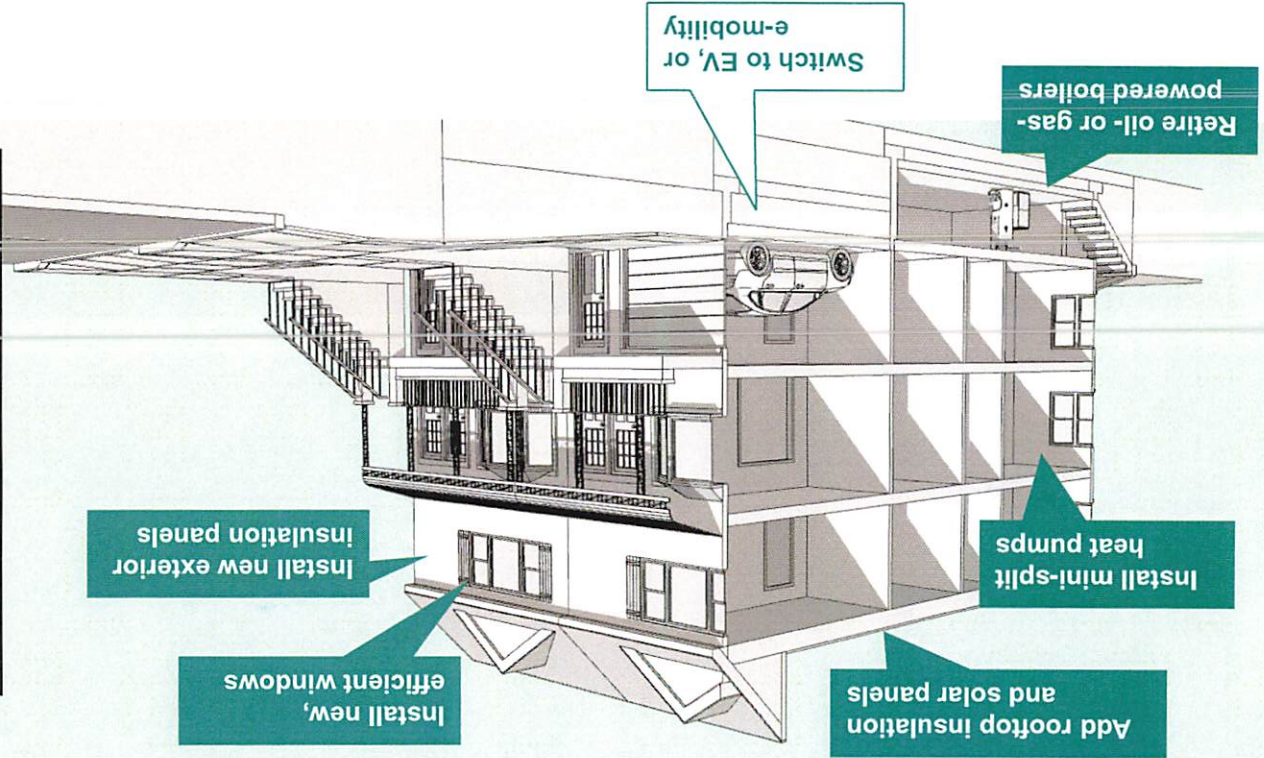


Current regulations	on roof	on ground
R1 – R5 + C Overlays	n/a	<b>35'</b>
R6 – R10 + C Overlays + Most C Equivalents M Districts (excl. M1-1)	50% of bldg. height or <b>55'</b> whichever is less	<b>35'</b>
C4-1, C7, C8, M1-1	<b>55'</b>	<b>85'</b>

Not allowed in, or within 10' of,  
waterfront yards and/or WPAA's

# Decarbonize our building stock

Goal 2



**NYC ACCELERATOR**

- A program of the **MOCEJ (Mayor's Office of Climate and Environmental Justice)**
- NYC Accelerator provides free expert guidance and trainings
- It also connects home- and building-owners to service providers and financing opportunities
- [accelerator.nyc](http://accelerator.nyc)

## Topic 6

# Retrofitting mechanical equipment: screening

- **Currently:** Zoning currently requires accessory mechanical equipment that is a “permitted obstruction” above zoning height and setback requirements to be screened.
- **Issue:** Rooftop mechanical equipment that is not a “permitted obstruction” because it is **below** the zoning height limit has **no applicable requirement**.
- **Proposal:** We will be expanding our screening requirements to ensure better screening of permitted obstructions, as well as, for the first time ever, require other rooftop mechanical equipment which is not a permitted obstruction to be screened as well.

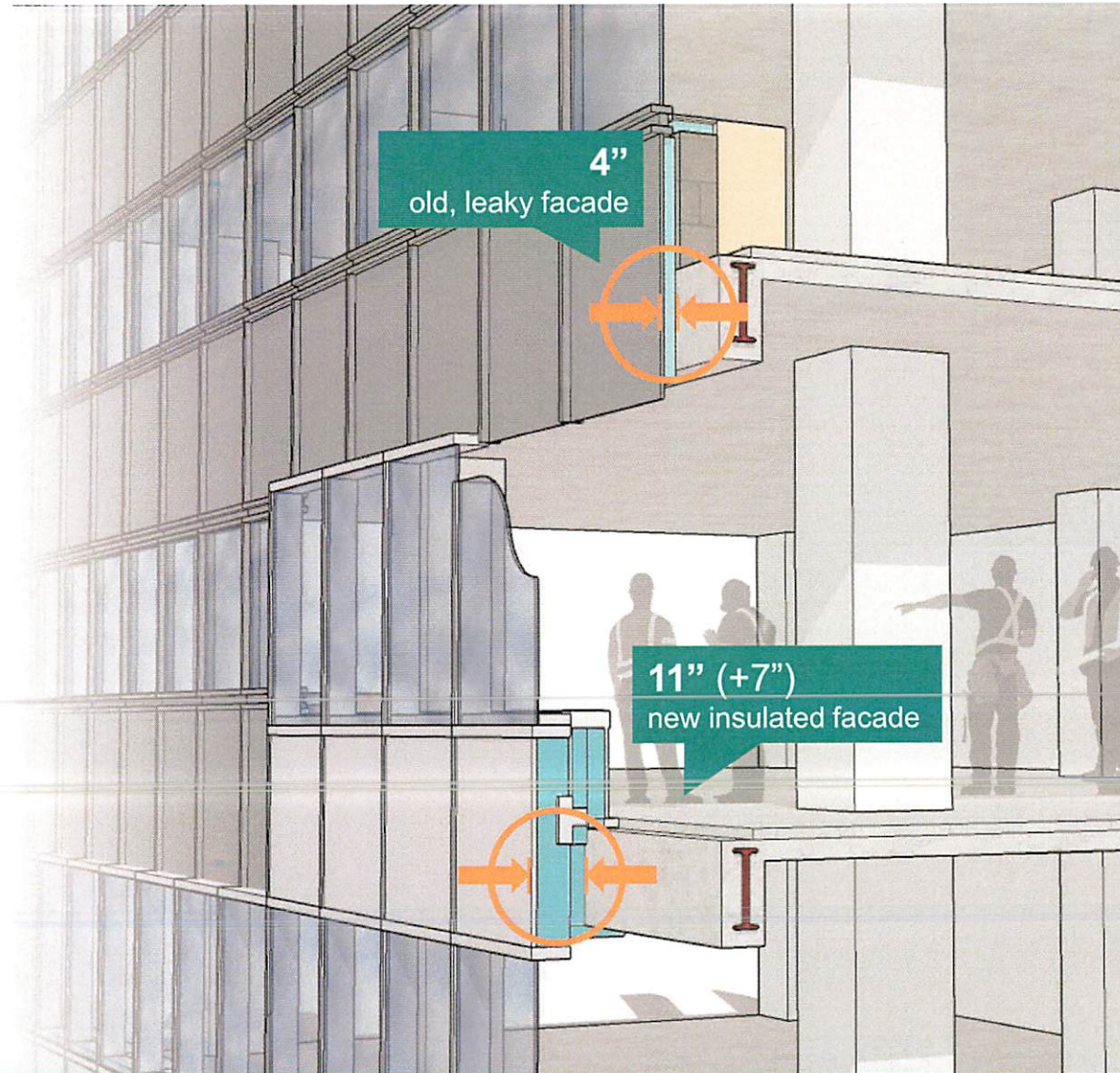
This proposal will require similar installations to be screened, going forward.



## Proposal 7

# Allowing envelope retrofits to meet code

- **Currently:** Zoning considers wall thickness as “floor area” – this counts against your FAR, or the amount you are allowed to build.
- **Issue:** When trying to completely replace a thin (4”) façade with a thicker (11”) façade, those additional 7” count as new floor area – and are not allowed to be added. This makes this façade replacement project impossible.
- **Proposal:** To ensure that a recladding is allowed, create a new allowance for additional wall thickness, provided the new wall complies with the latest thermal barrier requirements in the NYC Energy Code.



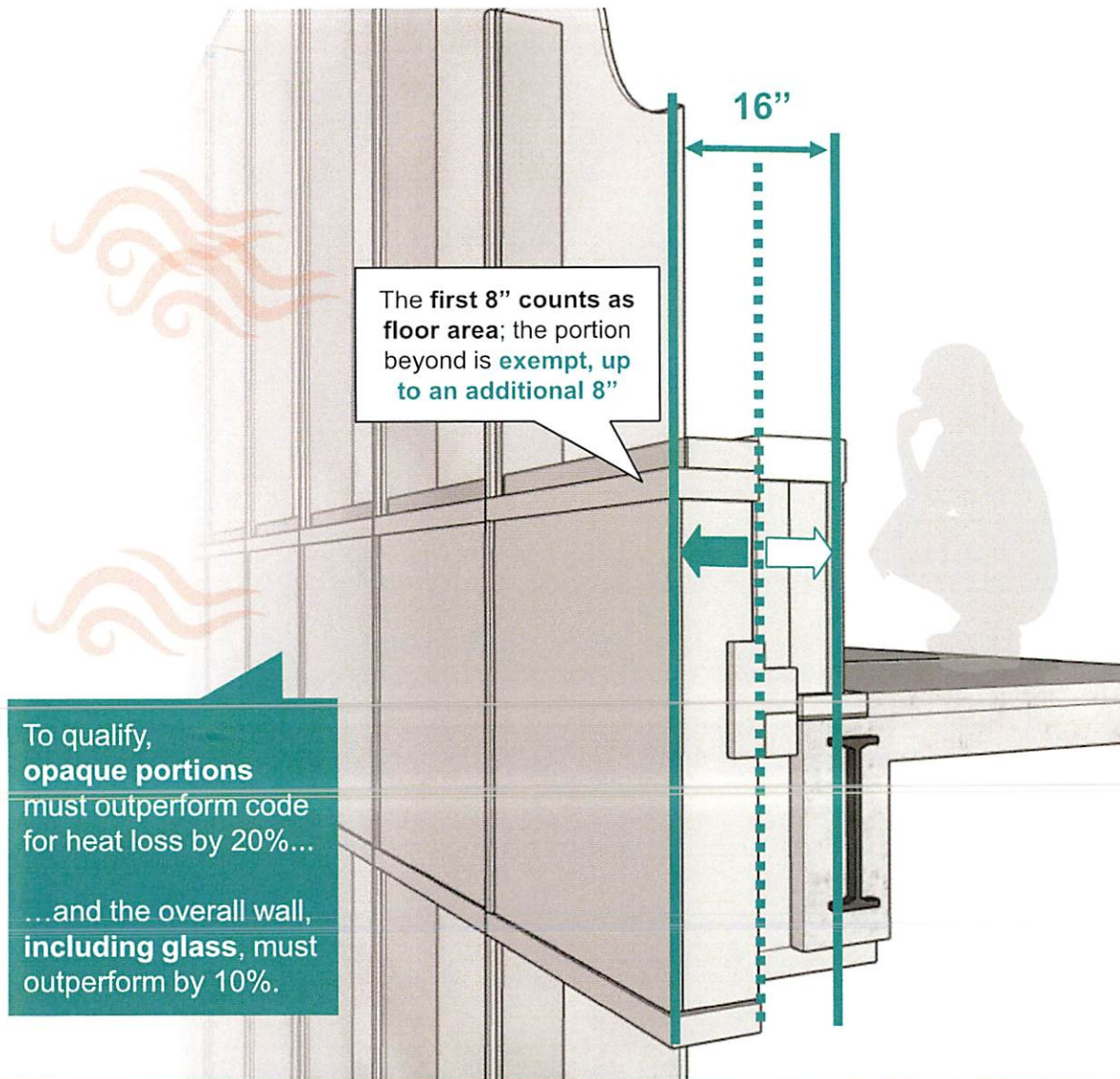
## Proposal 8

# Promoting envelopes that perform better-than-code

**Currently:** Zoning allows a 'wall thickness floor area exemption' (the "Zone Green bonus") for portions of walls that exceed Energy Code.

### Issues:

- The current exemption focuses on the **heat transmission (u-factor)** of a wall. This misses other key criteria, such as air leakage.
- Code's "u-factor" has been heavily revised since Zone Green. It is very difficult to outperform today's u-factor, and **nearly impossible** to outperform future u-factors.
- Administering this "up to 8 inch" wall exemption is **complex + prone to issues**.
- It is impractical for **existing buildings** to take advantage of this exemption.



## Proposal 8

# Promoting buildings that perform better-than-code

### Proposal:

Simplify the deduction from “up to 8in. beyond the first 8in. of wall thickness” into a **flat 5% exemption** from total FAR.

Align the exemption with Local Law 97 by promoting newer performance criteria:

- **existing buildings** which retrofit to become “fully electrified buildings” would be eligible for the exemption
- **new buildings**, which are already required to be fully electric (LL 154) would be eligible for the exemption if they design to “ultra-low-energy” usage building design standards.

The House at Cornell Tech, one of the few new buildings in NYC complying with ultra-low-energy standards

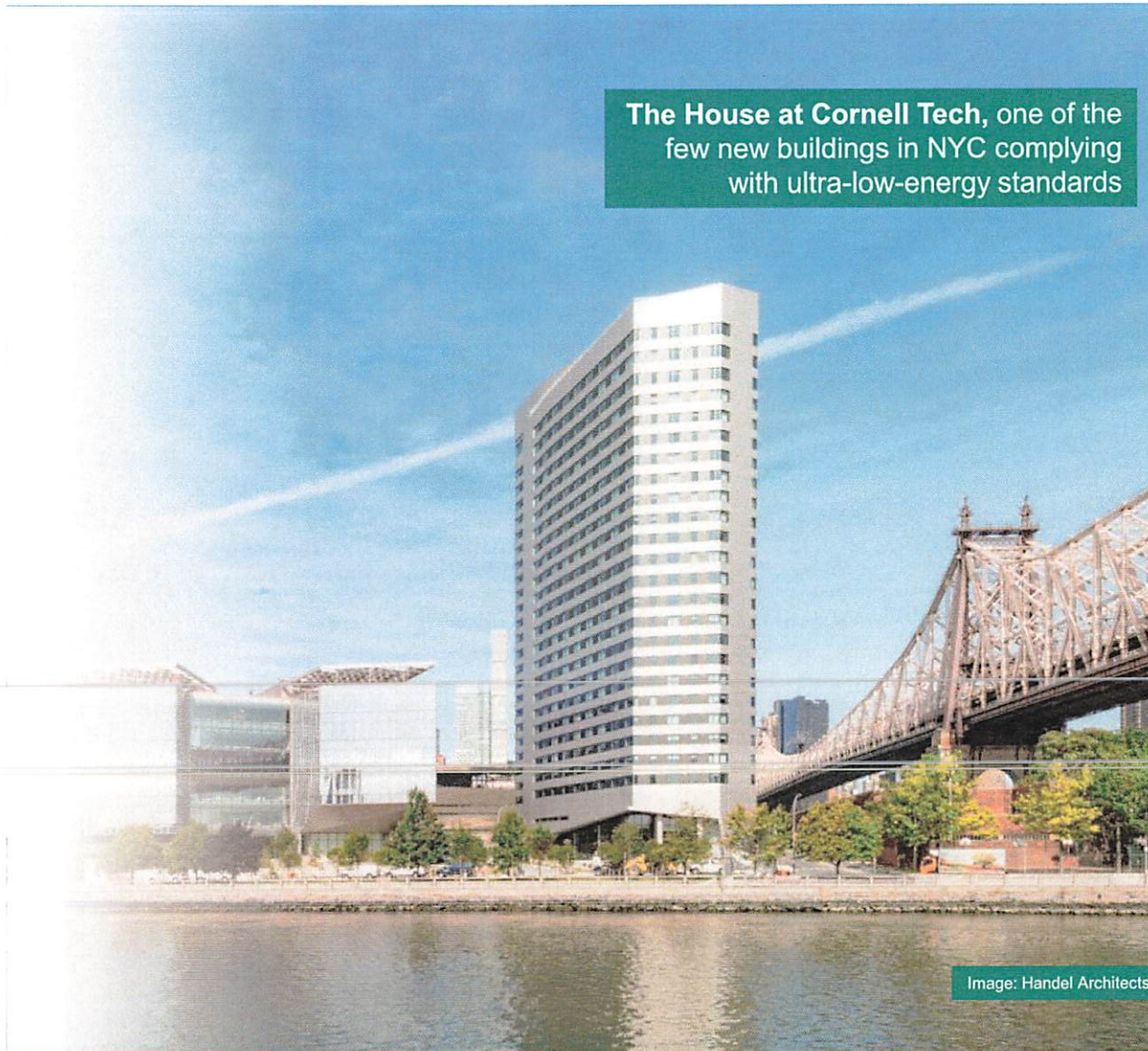


Image: Handel Architects



in detail

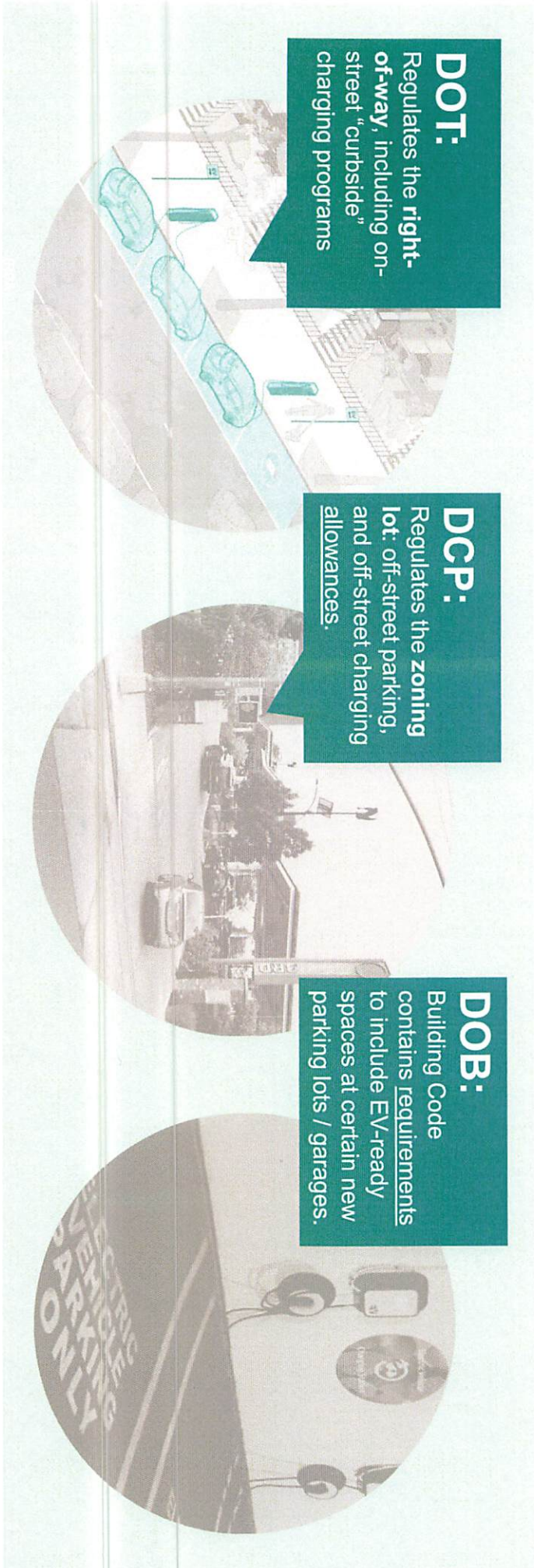
Proposal 8

# Promoting buildings that perform better-than-code

Today Wall thickness deduction	Proposed Pathway A Promoting Code outperformance	Proposed Pathway B Supporting LL97 compliance
Primarily for <b>new buildings</b>	Available to <b>new buildings</b>	Available to <b>existing buildings</b>
up to 8" of wall thickness	flat 5% FAR exemption	
Promote <b>higher u-factor</b> than required by Energy Code	Promote <b>ultra-low-energy</b> buildings which exceed today's requirements	Support compliance with LL97 by awarding floor area to <b>#fully electrified buildings#</b>
<ul style="list-style-type: none"> <li>• Focused on envelope heat transmission based on prescriptive Code requirements (u-factor) which are very hard to meet for opaque walls</li> <li>• Hard for practitioners as well as DOB to evaluate and enforce</li> <li>• Leads to contrived wall designs to unlock maximum 8" beyond 8" deduction.</li> </ul>	<ul style="list-style-type: none"> <li>• Flat FAR exemption eliminates complexity/issues</li> <li>• Assumes a fully electrified building</li> <li>• Building must demonstrate specific at time of plan review that they will be either a "net zero" building or achieve "ultra low energy" consumption:               <ul style="list-style-type: none"> <li>• a source energy use intensity (EUI) of 38 kBTU per square foot per year</li> <li>• or, 50% outperformance of comparable building which comply with code</li> <li>• will require testing to verify performance</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Flat FAR exemption eliminates complexity/issues</li> <li>• New construction will be required to be fully electric by 2024/2027 per LL 154</li> <li>• Existing buildings have no incentive other than fines that may be levied under LL97 (if applicable to that building)</li> </ul>

Goal 3

Decarbonize our vehicles



**DOT:**  
Regulates the **right-of-way**, including on-street “curbside” charging programs

**DCP:**  
Regulates the **zoning lot**: off-street parking, and off-street charging allowances.

**DOB:**  
Building Code contains requirements to include EV-ready spaces at certain new parking lots / garages.

## Proposal 9

# Open-to-the-public EV charging facilities

- **Currently:** Zoning considers open-to-the-public EV charging facilities as “Use Group 7” commercial uses.
- **Issue:** These facilities aren’t allowed in many C Districts commonly mapped closest to where people live.
- **Proposal:** Reclassify these facilities as Use Group 6 uses that are permitted in all Commercial Districts, more than doubling the commercial land area available for EV charging facilities.



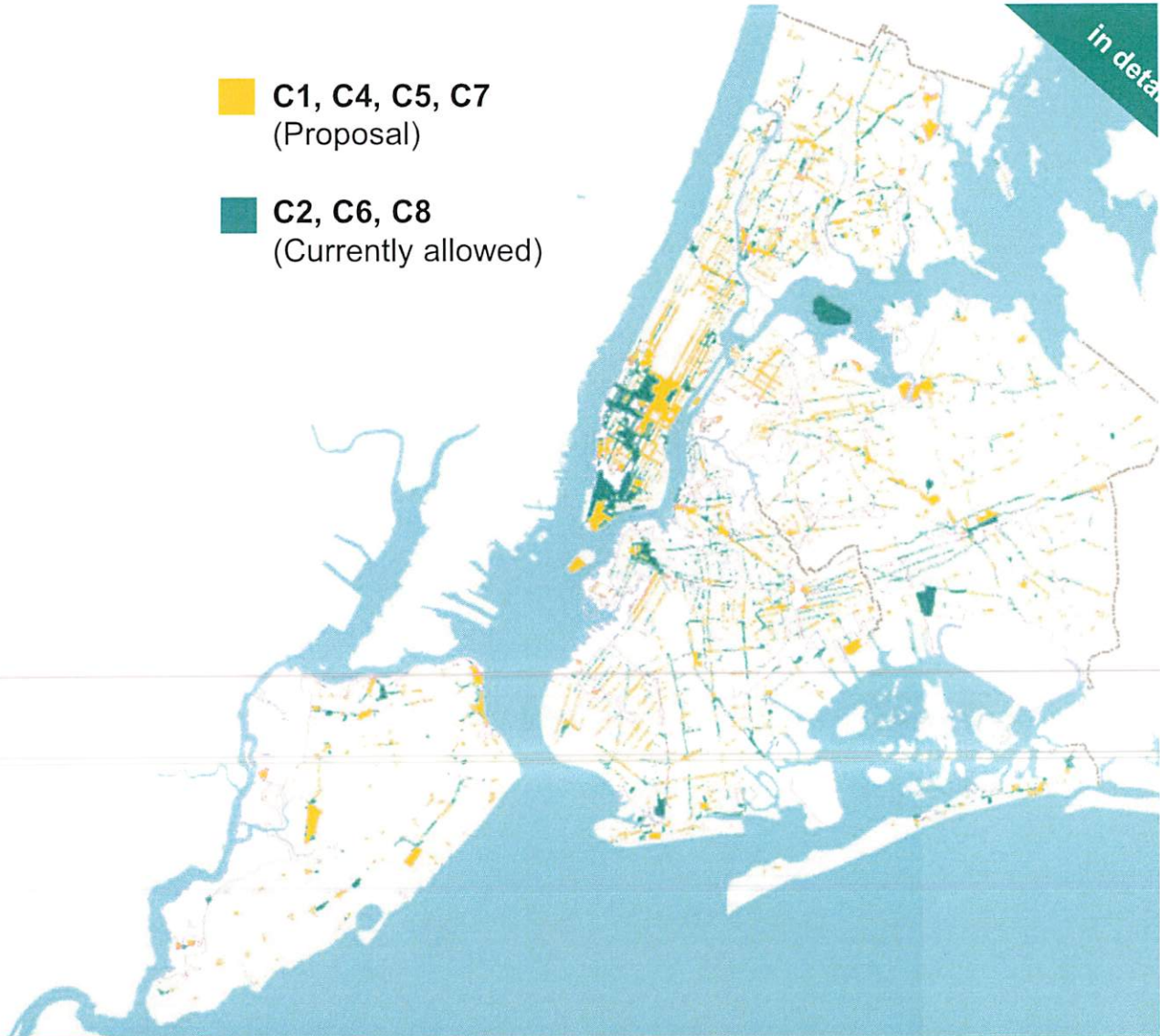
**Proposal 9**

# Open-to-the-public EV charging facilities

- **C1, C4, C5, C7**  
(Proposal)
- **C2, C6, C8**  
(Currently allowed)

	Currently	Proposed
<b>C1, C4, C5, C7</b>	No	Yes
<b>C2, C6, C8</b>	Yes	Yes
<b>All M Districts</b>	Yes	Yes
<b>All R Districts</b>	No	Limited*

\* See next proposal



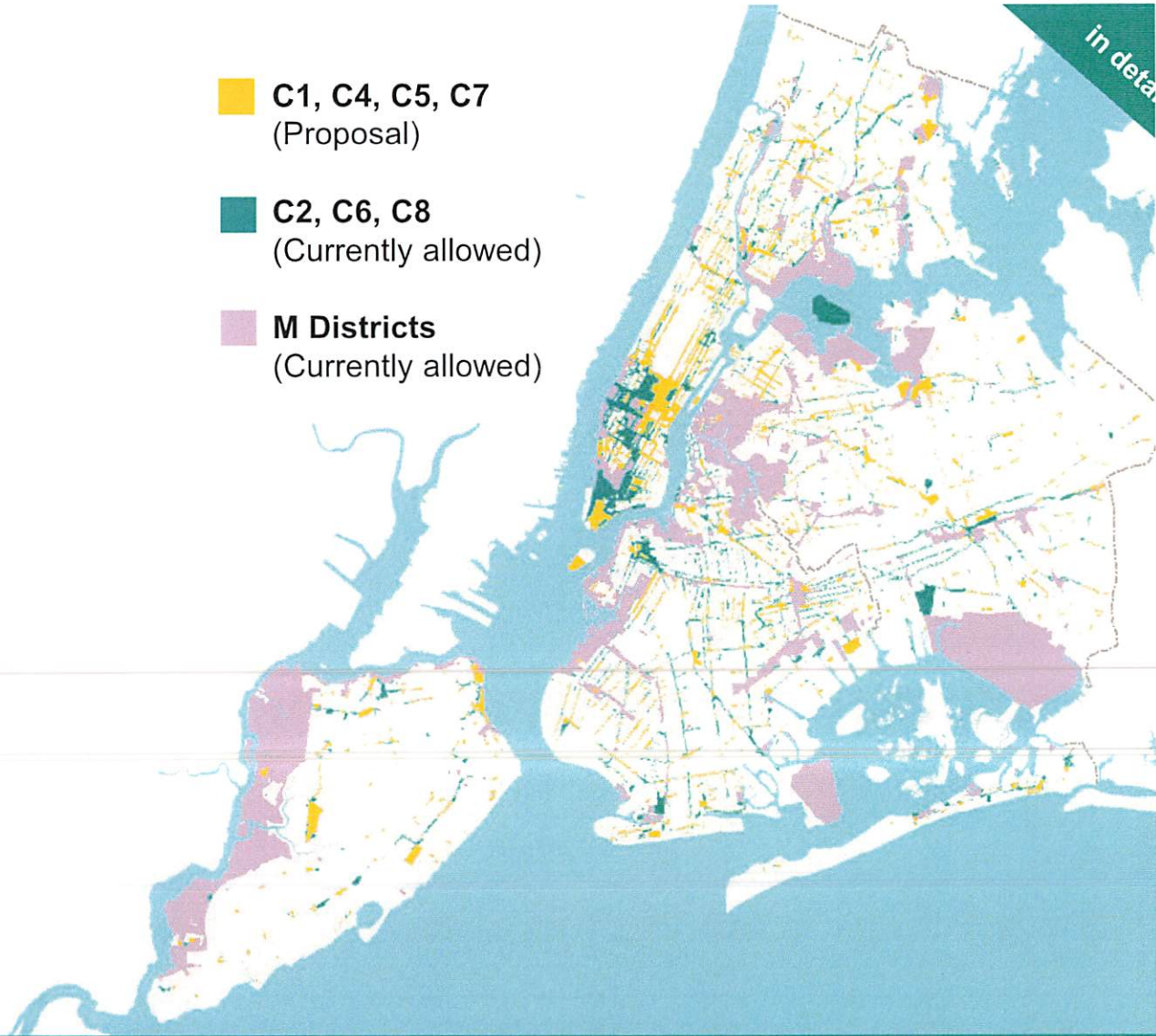
**Proposal 9**

# Open-to-the-public EV charging facilities

	Currently	Proposed
<b>C1, C4, C5, C7</b>	No	Yes
<b>C2, C6, C8</b>	Yes	Yes
<b>All M Districts</b>	Yes	Yes
<b>All R Districts</b>	No	Limited*

\* See next proposal

- C1, C4, C5, C7**  
(Proposal)
- C2, C6, C8**  
(Currently allowed)
- M Districts**  
(Currently allowed)



## Proposal 10

# Expanding car sharing: public EV charger sharing

- **Currently:** Zoning generally requires parking spaces serving uses, such as retail stores, or apartment buildings. Accessory charging is permitted in all of these spaces. Some of these spaces are permitted to be occupied by commercial car share program vehicles.
- **Issue:** EV chargers installed in accessory spaces are not available to the public, per zoning rules.
- **Proposal:** Expand existing car share rules to allow property owners to **designate up to 20% of their spaces** (or 5, whichever is greater) for flexible, public EV 'charger-sharing', or car sharing, or any combination thereof.



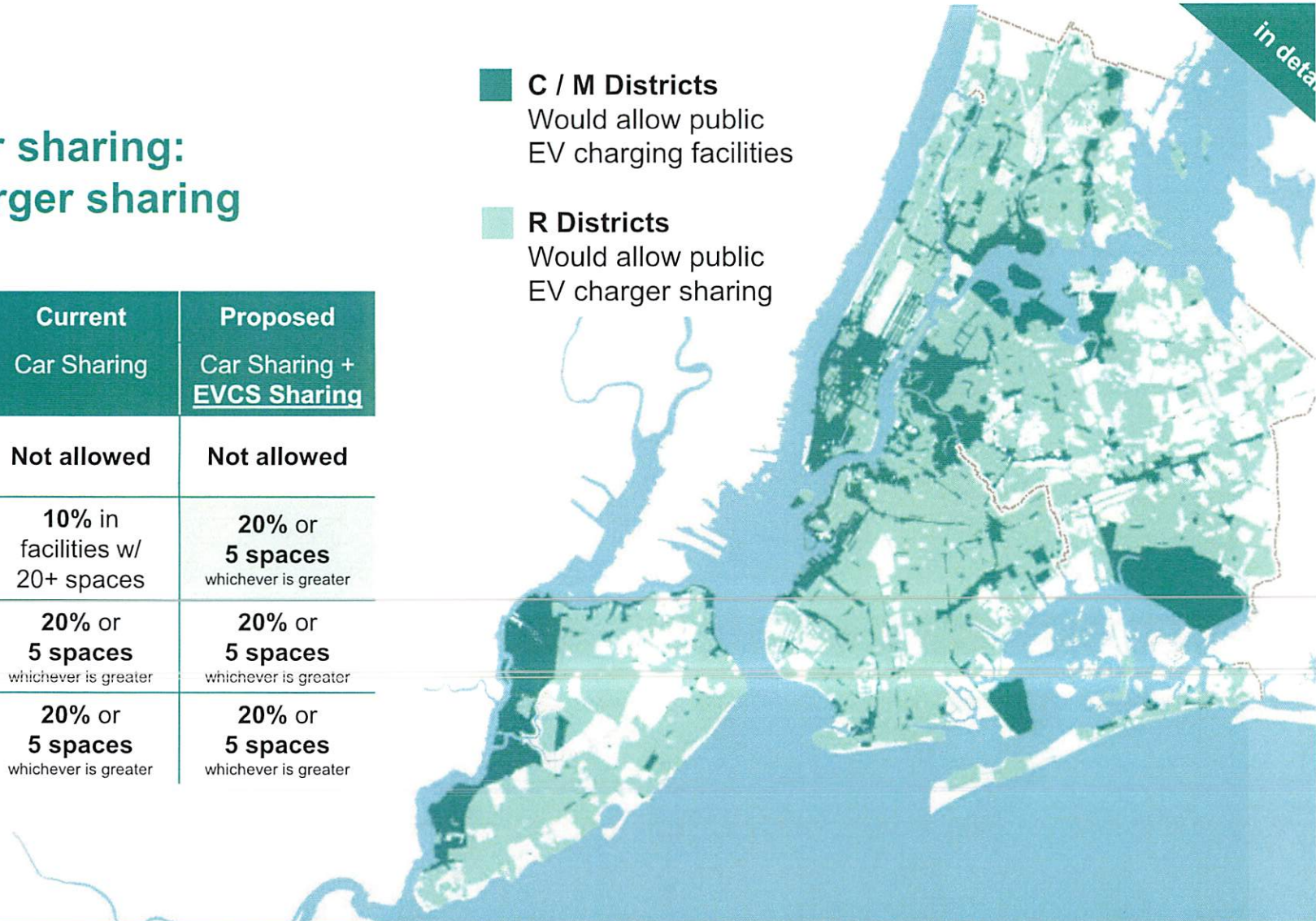
Proposal 10

## Expanding car sharing: public EV charger sharing

	Current Car Sharing	Proposed Car Sharing + EVCS Sharing
R1, R2, R4-1, R4A, R4B, R5A	Not allowed	Not allowed
R3-2, R4	10% in facilities w/ 20+ spaces	20% or 5 spaces whichever is greater
R5 – R10	20% or 5 spaces whichever is greater	20% or 5 spaces whichever is greater
Non-residential uses	20% or 5 spaces whichever is greater	20% or 5 spaces whichever is greater

**C / M Districts**  
Would allow public  
EV charging facilities

**R Districts**  
Would allow public  
EV charger sharing



Proposal 11

## Commercial Fleet EV Charging in both Accessory and Public Parking Lots + Garages

**Proposal:** Allow up to **20% of accessory spaces**, to be occupied by any combination of:  
 1. car share vehicles, 2. car rental vehicles, 3. public EV charging spaces, 4. commercial vehicle (<20') storage

And allow, in public lots/garages, up to **50% of total spaces**, to be occupied by any combination of: 1. car share vehicles, 2. car rental vehicles, 3. commercial vehicle (<20') storage. (100% of spaces may be public EV charging.)

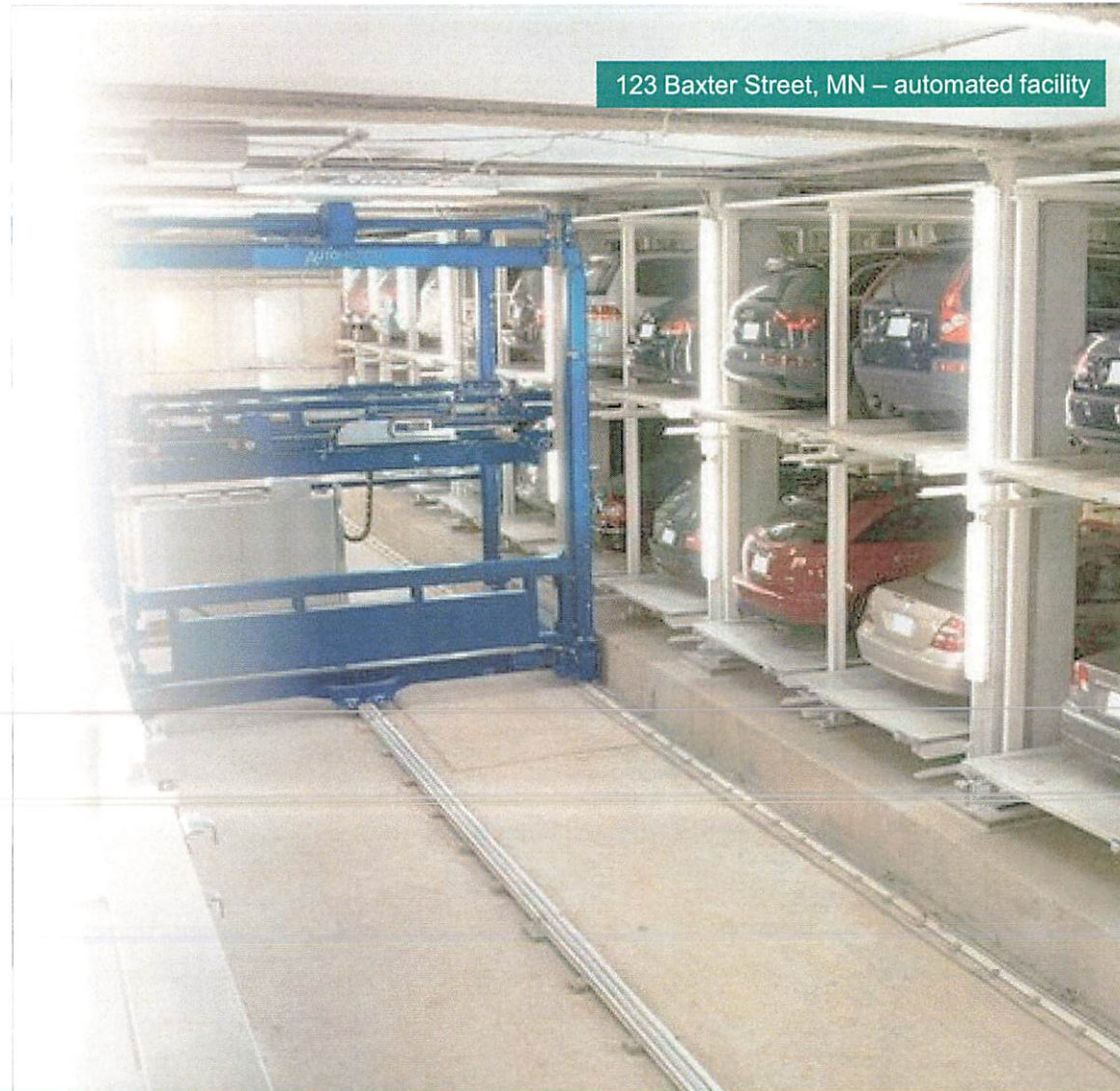
	R Districts		C Districts				M Districts	
	Accessory	Public Lots / Garages	Accessory		Public Lots / Garages		Accessory	Public Lots / Garages
	R3-2+ MF	N/A	C1, C2 mapped in R3-2+	C4, C5, C6, C7, C8	C1, C2	C4, C5, C6, C7, C8	M1, M2, M3	where permitted
<b>Publicly-accessible EV charging</b> (not inclusive of any EVCS for below uses)	20% of total spaces, or 5 spaces, whichever is greater	N/A	20% of total spaces, or 5 spaces, whichever is greater	20% of total spaces, or 5 spaces, whichever is greater	100% of total spaces	100% of total spaces	20% of total spaces, or 5 spaces, whichever is greater	100% of total spaces
<b>Car share services</b>	N/A	N/A	N/A	N/A	50% of total spaces	50% of total spaces	N/A	50% of total spaces
<b>Automobile rental services</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Commercial vehicle storage (&lt; 20 feet)</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A



## Proposal 12

# Expansion of automated parking regulations

- **Currently:** In limited areas, the ZR provides special allowances to “automated parking facilities” that are tailored to their unique operational needs versus a typical parking facility. For example, the minimum size requirements for a parking space are reduced to reflect the unique ‘tray-and-rack’ system used to store cars.
- **Issue:** These allowances don’t apply outside of the Manhattan Core and a few other areas, limiting the feasibility of such facilities citywide.



123 Baxter Street, MN – automated facility

Proposal 12

## Expansion of automated parking regulations

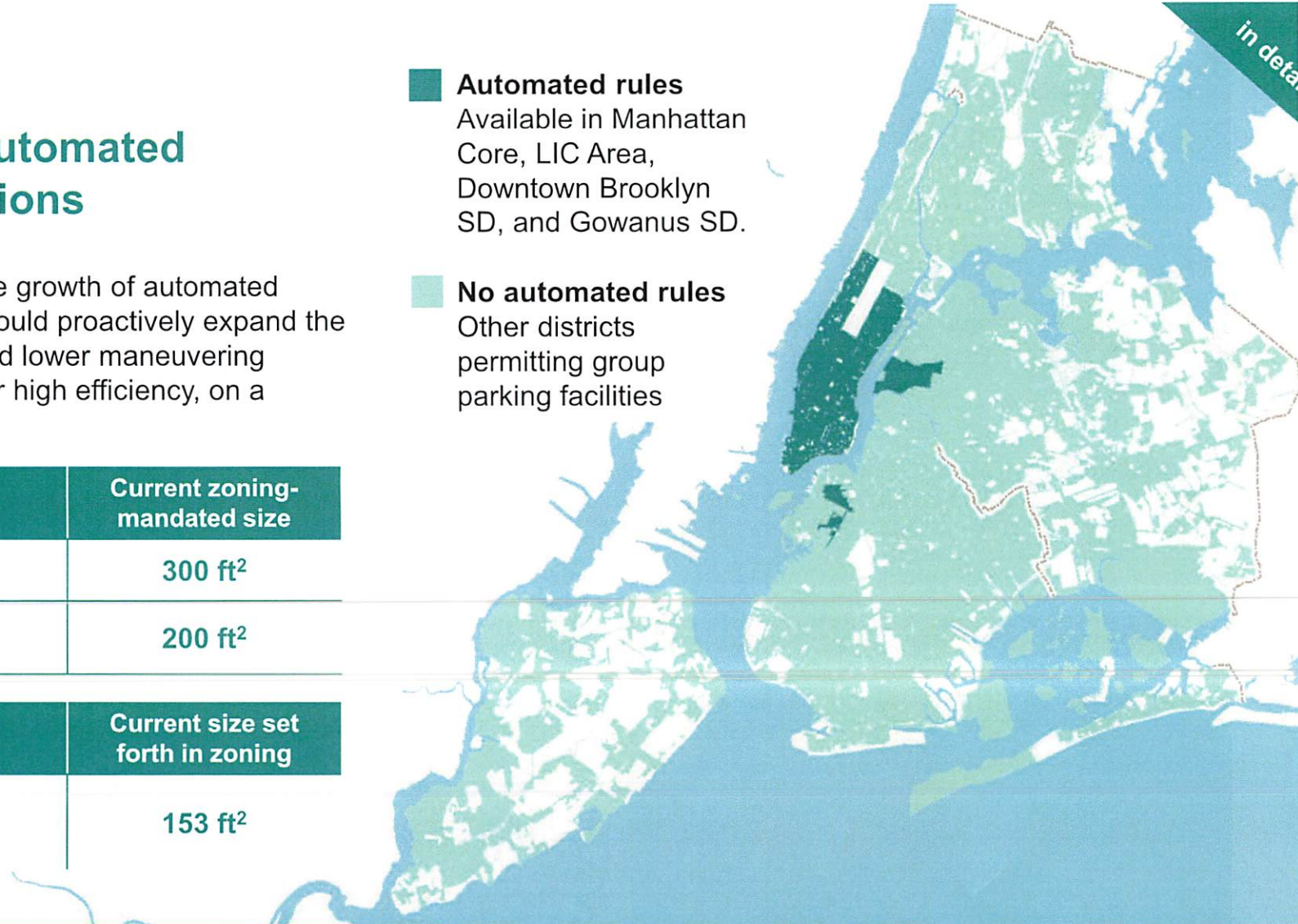
**Proposal:** To support the growth of automated facilities, this proposal would proactively expand the allowance and associated lower maneuvering requirements due to their high efficiency, on a citywide basis.

Typically	Current zoning-mandated size
Standard parking space	300 ft <sup>2</sup>
Attended or alternate maneuverability space	200 ft <sup>2</sup>

Automated rules	Current size set forth in zoning
Automated parking tray (in designated areas only)	153 ft <sup>2</sup>

- Automated rules**  
Available in Manhattan Core, LIC Area, Downtown Brooklyn SD, and Gowanus SD.
- No automated rules**  
Other districts permitting group parking facilities



## Proposal 14

# Expand the use of permeable paving

- **Currently:** Zoning is supposed to allow any paving area to be paved with permeable paving.
- **Issue:** The text, as drafted, requires the Department of Buildings to investigate each proposed installation to deem it appropriate. Ambiguity about how to do so has complicated the process of using permeable paving in NYC.
- **Proposal:** Revise this language to make it clear that permeable paving is always allowed.

Standard ZR language regarding paving:

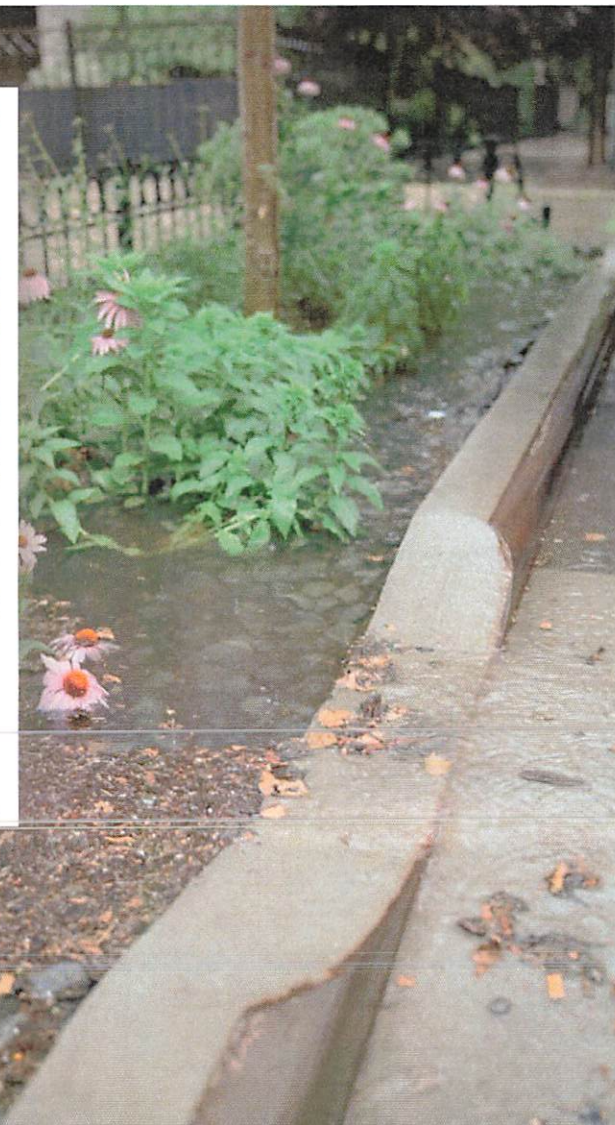
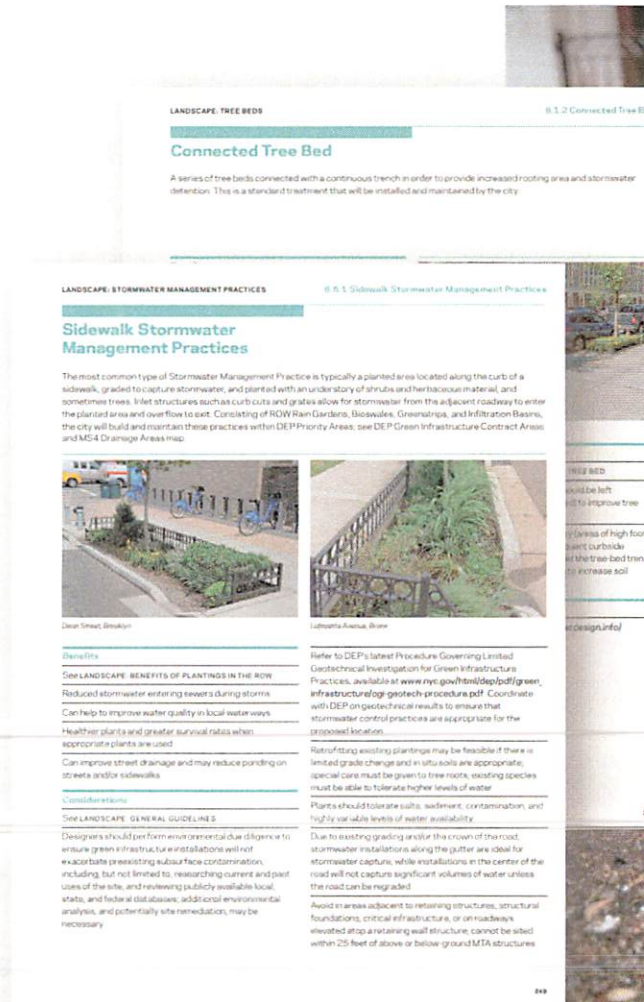
“asphaltic or Portland cement concrete, or other hard-surfaced dustless material [...] However, permeable paving materials may be used in open parking areas where the Commissioner of Buildings determines that such materials are appropriate.”



## Proposal 15

# Allow for high-performance street beds

- **Currently:** Zoning requires street trees to be installed alongside new developments and enlargements.
- **Issue:** As drafted, the zoning text precludes the use of newer, more inventive prototypes such as “connected tree beds” and “raingardens” that have been designed and approved by DOT.
- **Proposal:** Add flexibility to the street tree requirements to allow location of required trees within connected tree beds or raingardens, as well allow as substitution of one required street tree with a DEP-compliant raingarden.



## Racial equity report

As a zoning text amendment affecting more than 5 community districts, this proposal is subject to the racial equity reporting requirement.

**The proposal serves as an important step to meet the City's climate goals by alleviating regulatory burdens and allowing for the creation of a more sustainable, more resilient and more equitable city.**

Due to the nature of this proposal, no increases in residential space, non-residential space, or other development activity are anticipated. Therefore, analysis of residential affordability, employment, or construction jobs is not applicable.



**A 'peaker' plant – among the dirtiest forms of energy production in NYC.**

Source: Gotham Gazette, "Peaker Plants Harm Communities of Color: It's Time for New York City to Replace Them" (2020) by Rachel Spector (NYLPI), Elizabeth Yeampierre (UPROSE) & Dariella Rodriguez (The Point CDC)