

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

ZONING AND FRANCHISES

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Thursday, November 21, 2024

Start: 4:52 P.M.

Recess: 5:36 P.M.

HELD AT: Committee Room, City Hall

B E F O R E: Kevin C. Riley, Chairperson

COUNCILMEMBERS:

- Shaun Abreu
- Joann Ariola
- Chris Banks
- Gale Brewer
- Joseph C. Borelli
- David M. Carr
- Eric Dinowitz
- Kamillah Hanks
- Robert F. Holden
- Crystal Hudson
- Kristy Marmorato
- Francisco P. Moya
- Vickie Paladino
- Keith Powers
- Carlina Rivera
- Yusef Salaam
- Rafael Salamanca, Jr.
- Lynn C. Schulman
- Pierina Ana Sanchez
- Kalman Yeger

A P P E A R A N C E S (CONTINUED)

2 SERGEANT AT ARMS: Welcome to the New York City
3 Council vote on the Subcommittee on Zoning and
4 Franchises. At this time, please silence all
5 electronics and do not approach the dais. I repeat,
6 do not approach the dais. Chair, you may begin.

7 [GAVEL]

8 CHAIRPERSON RILEY: Good evening, everyone, and
9 welcome to the meeting of the Subcommittee on Zoning
10 and Franchises. I'm Councilmember Kevin Rowley,
11 Chair of the Subcommittee. Today I'm joined by Chair
12 Hanks, remotely by Councilmember Moya, Abreu,
13 Shulman, Salam, Carr, Brewer, Sanchez, Borelli, and
14 Hudson.

15 Today we are scheduled to hold votes on two
16 important applications. The first vote is to
17 approve, with modifications, LUs number 181, relating
18 to the City of Yes for Housing Opportunity. The
19 second vote is to approve LUs numbers 185 to 187,
20 relating to the redesign of the Port Authority Bus
21 Terminal.

22 Starting with the City of Yes for Housing
23 Opportunity, this is the last of three major
24 initiatives by the administration. The first
25 initiative was City of Yes for Carbon Neutrality,

2 which the Council modified and adopted last year.

3 The second initiative was City of Yes for Economic
4 Opportunities, which the Council modified and adopted
5 earlier this year.

6 The goal of this third initiative is to help
7 address the housing crisis that the city is facing,
8 and refresh outdated housing regulations.

9 As I discussed when we held the public hearing
10 last month for this initiative, our communities are
11 facing a very real housing crisis. Our constituents
12 are struggling to find an apartment or a house that
13 is both large enough for their families and
14 affordable.

15 We know the cause of this crisis: New York City
16 has not been building enough housing. More people
17 want to live in the city than the number of available
18 homes.

19 This has led to the historical low vacancy rate
20 of just 1.4%. This means 98.6 of the available
21 apartments are occupied. It is no surprise families
22 are having a hard time finding a home and moving out
23 of the city.

2 Another major cause of this housing crisis is
3 that the income of most New Yorkers has not kept up
4 with inflation and rent increases.

5 To make matters worse, the number of available
6 apartments, available for less than \$1,500, is
7 steadily decreasing.

8 So, the data is clear. The city has a housing
9 crisis.

10 The question is how should the city go about
11 solving this problem?

12 The administration has put forward a complicated
13 set of reforms to create more housing. I want to
14 recognize the extraordinary effort that our community
15 boards, neighborhood associations, advocates,
16 councilmembers, and council staff have made to
17 understand and analyze the administration's proposal,
18 which is over 1,300 pages. We have received volumes
19 of very helpful input from every corner of the city,
20 from other cities, and from experts throughout the
21 country.

22 What is clear, based on all the input council has
23 received, is that the housing and the ecosystem that
24 is dependent on multiple competing factors-- let me
25 give you some examples. New York City is a coastal

2 city, and the sea level is rising. Groundwater
3 tables are also rising.

4 To make matters worse, rainfall events are
5 becoming more severe, causing more inland flooding.
6 This raises the question: What type of housing
7 should be built and where? We have an obligation to
8 make sure new housing is safe and that our city is a
9 resilient one. In some areas, this new
10 infrastructure is needed before any more density can
11 be added.

12 The flooding happening in parts of the Bronx,
13 Queens, and Brooklyn is well-established. We know
14 that the city must address this flooding through new
15 infrastructure investment. The question becomes: Is
16 the administration willing to provide this new
17 infrastructure for these neighborhoods?

18 Another factor we must consider is access.
19 Families need access to jobs, grocery stores,
20 schools, and doctors, just to name a few essentials.
21 If the new housing is far away from public transit,
22 how will these families access these essential
23 services? Will they be dependent on a car? If a car
24 is needed, then should parking requirements be
25 reduced to make way for even more housing?

2 Let's also talk about a neighborhood's built
3 character. The character of a neighborhood is
4 important. For many New Yorkers, it is the reason
5 they move to their homes. This is true across
6 different neighborhoods, whether it be historic
7 districts, one- or two-family home neighborhoods,
8 mid-density districts with homes between five to
9 seven stories, brownstone neighborhoods, or high-
10 density residential district with specific
11 architectural features. Each neighborhood in New
12 York City offers something different, and this
13 diversity of housing is a defining element of our
14 great city.

15 So the question here is: How do we preserve the
16 rich diversity in the city's neighborhoods while
17 still making sure every community board contributes
18 not just more market housing, but also affordable
19 housing?

20 Another major priority to consider is open space.
21 According to some estimates, there is as little as
22 146 square feet of green space per New Yorker. Think
23 about that for a moment.

2 Each New Yorker only has about 12 feet by 12 foot
3 of open space, and this open space is not even fairly
4 distributed throughout the city. LA has three times
5 this amount. ATL, seven times this amount.

6 Therefore, preserving the open space on large
7 developments and in backyards is critical for the
8 well-being of our constituents.

9 Each of these factors that I just mentioned,
10 climate change, infrastructure, access, a diversity
11 of housing options, and open space must be considered
12 in figuring out how to solve the city's housing
13 crisis. And this is exactly what we did as a
14 subcommittee when reviewing the administration's
15 proposed reforms.

16 I am now going to explain how the subcommittee is
17 recommending to modify the City of Yes for Housing
18 Opportunity proposal to take into account each of
19 these competing objectives. In finding the right
20 balance between these objectives, we reviewed the
21 detailed submission by the community boards and
22 elected officials. We also considered over 1,300
23 written comments submitted by the public.

24 Besides these formal submissions, many, many, and
25 long meetings were held with communities, in person,

2 and virtually. The council conducted the largest
3 public engagement effort of any land use application
4 since I have been chair of this subcommittee. We
5 listened.

6 Starting with the four major city-wide reforms
7 that the administration is proposing: First, I want
8 to discuss the administration's affordability
9 proposal, known as Universal Affordability
10 Preference, UAP. It will create a city-wide program
11 to enable the creation of permanent affordable
12 housing.

13 It is intended to work with the new property tax
14 exemption, known as 485X, which the state passed.
15 UAP will require new development to set aside 20% of
16 units at 60% AMI, which is a household income of
17 \$93,000 for a family of four. This will create much-
18 needed, new, permanent, affordable housing, and is a
19 step in the right direction.

20 Many families do not make this much money, and
21 they need housing, too. The modification here is to
22 require buildings containing more than 10,000 square
23 feet of affordable floor area that 20% of the
24 affordable units be for families making 40% AMI,
25 which is \$62,000 for a family of four. This is much

2 more aligned with the actual income of families
3 within the Bronx.

4 The next city-wide proposal we are modifying is a
5 reform to allow landmark buildings to transfer their
6 unused development rights. This reform is also a
7 step in the right direction, because landmarks are
8 beloved by everyone and maintain the cultural
9 heritage of our great city. Facilitating the
10 transfer of density from landmark buildings is a way
11 to preserve these buildings by allowing them to raise
12 the needed funds to maintain the buildings.

13 The reform will facilitate these transfers by
14 requiring less process. The issue is that this
15 reform will also allow the site receiving the
16 additional density to increase its height without
17 seeking a special permit that requires community
18 board and borough president's review, and a council's
19 vote. This could lead to development that could be
20 disproportionately higher compared to the zoning
21 district they are in.

22 More importantly, it will weaken the community's
23 input. If a development does not want to follow the
24 applicable regulations, it needs to seek the
25 community and council's review. This is why we are

2 reinstating the special permit for any building
3 receiving a density increase from a landmark building
4 that wants to increase its height more than 25% of
5 what it is allowed.

6 The third citywide proposal that should be
7 modified relates to its ability to add buildings on a
8 lot that is already developed, also known as campus
9 infill development. A common type of development
10 throughout the city is two or more buildings on a
11 large lot. Many of these large developments are
12 facing financial difficulties due to the needed
13 facade repairs and electrical retrofits.

14 Infill developments could provide the additional
15 needed funds and more housing. There are also
16 community facility buildings such as churches and
17 educational facilities that have vacant land. In
18 talking with communities who live in and around
19 campus sites, their concern is that the access to
20 existing open space on these campuses is a valuable
21 and needed resource.

22 If as a city, we're going to facilitate infill
23 development, then we need to protect outdoor space
24 used for recreational purposes. This is exactly what
25 our modification does. It also requires that a

2 minimum percentage of the lot not be developed and
3 that the height of any new infill buildings not
4 exceed the height of existing buildings on the lot.

5 The fourth citywide proposal, District Fixes,
6 seeks to provide a little more flexibility in how the
7 shape and size of buildings are regulated.

8 Currently, there are many buildings that do not
9 conform in the existing regulations because the
10 regulations were amended after the buildings were
11 constructed. This is preventing homeowners and
12 building owners from making small changes, reasonable
13 changes to their building.

14 While broadly speaking, the aim of the additional
15 flexibility makes sense, some of these changes need
16 to be scaled back specifically to protect people's
17 access to open space. Rear yards and side yards play
18 an important role in people's daily lives. We need
19 to preserve this access to the outdoors.

20 Our modification recommends that we do not reduce
21 lot size and lot width as much as proposed. Scale
22 back the proposed reduction and encroachment into
23 rear and side yards, maintain a 30-foot rear yard
24 requirement for row houses and semi-detached houses

2 on smaller lots, and preserve an appropriate step
3 down between larger and smaller buildings.

4 I will next discuss how we consider the three
5 primary reforms in the city's low-density districts,
6 starting with the administration's Transit-Oriented
7 Development, TOD.

8 The reform proposes to allow three- to five-story
9 developments in low-density communities. To qualify
10 for TOD, a site must be 5,000 square feet in lot area
11 and on a wide street or short block and within a half
12 of a mile of a mass transit station. While this is
13 an important tool to add housing to low-density
14 neighborhoods, it should also be mapped where the
15 train line and stations are designed to accommodate
16 commuters.

17 It should also consider where people in each
18 community are working and how people are commuting to
19 their jobs. Besides looking at commuting patterns,
20 the shape, size, and density of the proposed new
21 development should also be compatible with the
22 surrounding homes.

23 Our modifications are based on these
24 considerations.

2 First, we are removing single-family zone
3 districts from TOD areas because the area restricted
4 to single-family homes were not planned for three- to
5 family-story buildings. One-family home districts
6 represent less than 15% of the city's land area, and
7 they are scattered in small areas throughout the
8 city. They are a valuable resource to the city in
9 terms of maintaining the diversity of housing choices
10 for New Yorkers.

11 For some households, having access to a yard, a
12 garage, and owning a piece of land is an important
13 goal, and we do not want to drive away these New
14 Yorkers. New York City has been defined by different
15 types of neighborhoods for over two centuries, and we
16 want to maintain the unique aspect of the city.
17 Apartment buildings are a more appropriate building
18 type in two- and multifamily districts, which are
19 intended and designed for bigger buildings and more
20 density.

21 Second, we are reducing the TOD area toward the
22 end of the LIRR and the Metro-North stations from a
23 half-a-mile radius to a quarter-mile radius. This
24 change reflects the reality of how people commute.

2 The ability to commute using public transportation is
3 not the same throughout New York City.

4 All the subway and regional lines are not the
5 same and do not provide the same type of access.
6 When we reduce the TOD area, the existing community
7 patterns and the cost and the frequency of the trains
8 are different than mass transit stations. The trains
9 are less frequent, the cost of a ticket exceeds
10 subway fares, and many families who live in these
11 areas do not simply commute by train into Manhattan,
12 downtown Brooklyn, or Long Island City for work.

13 Families in these areas are much more car-
14 dependent to access jobs scattered throughout the
15 city and surrounding counties. In the 50s and 60s,
16 the city decided to place public housing and working-
17 class homes in places that were not easily
18 accessible. This was not only discriminatory but a
19 total failure.

20 Under my watch, I will not encourage housing in
21 any place that are not accessible to jobs and
22 essential services for everyday New Yorkers. Town
23 Centers is the second of the proposals that will
24 allow three- to five-story development in low-density
25 districts, in this case, on the streets with

2 commercial overlay zoning. Like TOD, the size of a
3 new building in town center areas would depend on the
4 existing zoning.

5 One intent of this proposal is to allow walk-up
6 apartment buildings on main commercial streets in
7 low-density communities.

8 Two very valid concerns regarding this proposal
9 have been raised. There are some blocks that may
10 have a commercial overlay but today are actually
11 built as mostly one- and two-family homes without
12 commercial uses.

13 Our modification will remove this type of block
14 from town center eligibility. The other concern is
15 that there are some areas where commercial zoning is
16 mapped only over a single, isolated block surrounded
17 by a residential neighborhood. Creating a single
18 block of an apartment among one- and two-family homes
19 was not the intent of this proposal and would be
20 inconsistent with the surrounding area.

21 As a result, we are removing single, isolated,
22 commercial overlay blocks from the proposal.

23 For both Town Centers and TODs, the council
24 repeatedly heard concerns about the lack of any
25 requirement for affordability. The message from

2 communities were clear: We just don't have a housing
3 crisis, we have a housing affordability crisis.

4 The proposed modification will introduce an
5 affordability requirement for large developments of
6 approximately 50 units or larger with approximately
7 20% of FAR reserved for permanent affordable housing
8 at an average of 80% AMI. Developers will only be
9 able to reach their full FAR if affordable units are
10 included.

11 This modification is the first time such an
12 affordability program has been used in the low-
13 density district. The amount and level of
14 affordability were carefully considered to be
15 financially viable for both rental and home ownership
16 developments.

17 The third major reform in the low-density
18 district is the introduction of ADUs.

19 This will be an entirely new housing type in New
20 York City. ADUs come in many forms, each with their
21 own characteristics that need to be considered
22 separately from other types. These main ADU types
23 include detached backyard structures, rear or side
24 additions to the main house, attic apartments, and
25 basement units.

2 Some of these ADU types are located inside an
3 existing building footprint, such as a basement or
4 attic ADU. Other types are located in the backyard,
5 such as detached, standalone ADUs, and attached ADU
6 home extensions. As proposed, these ADUs will be
7 permitted up to 800 square feet and one per house,
8 whether it be a one- or two-family house.

9 The response we heard to this ADU proposal
10 highlighted several issues: the lack of
11 infrastructure to service current density in certain
12 areas of the city, flood risk concerns, introducing a
13 new housing type that will be out of character in
14 housing districts with distinct architectural
15 features, and questions over cost and maintenance for
16 average homeowners. While the proposal does not
17 allow basement ADUs in the coastal flood zone, it
18 does not address inland flooding or sea level rise,
19 which are two significant omissions. Communities
20 with inland flood risks already do not have the
21 needed infrastructure to adequately service current
22 residents.

23 Before we add any more housing in these areas,
24 let's first solve the existing flooding problem. The
25 administration here is putting the cart before the

2 horse. Excuse me, I said that wrong. The
3 administration here is putting the cart before the
4 horse. Putting more basement and ground-level
5 housing in flood zone is not sound planning policy.
6 Similarly, it is not enough to just plan for the 100-
7 year coastal flood plain as proposed by the
8 administration.

9 As a city, we also need to plan for sea level
10 rises. Whether we like it or not, the sea level
11 surrounding the city is rising, and so is the
12 groundwater table. As such, we are modifying the
13 administration proposal to prohibit ground-floor
14 ADUs, both detached and attached extension, and
15 basement ADUs in both the coastal flooding zone areas
16 and areas identified by the city as vulnerable to
17 inland flooding for heavy rainfall.

18 By excluding the basement and ground-level
19 detached ADUs from areas projected to be impacted by
20 the sea level rise and inland flooding, we are taking
21 responsible steps to make our city more resilient.

22 Another major concern is introducing a completely
23 new type of housing in the backyard of existing
24 neighborhood. Backyard ADUs, both detached and
25 attached, will have much more of an impact on the

2 building character of a neighborhood than any other
3 type of ADUs which are located inside an existing
4 house.

5 Recognizing this difference, the council will
6 modify where the backyard ADUs can be located,
7 prohibiting them in historic districts and in
8 contextual low-density one-family home districts with
9 a well-defined built environment. Even here,
10 however, we are taking the need for all neighborhoods
11 to contribute more housing seriously. And backyard
12 and attached ADUs will be allowed in these contextual
13 districts if they are near public transit stations.

14 As I said earlier, access is a key factor in
15 determining whether additional housing should be
16 planned.

17 The other impact that needs to be considered with
18 backyard ADUs is the reduction of valuable open
19 space. This is why the council is prohibiting ADUs
20 from covering more than 33% of a rear yard and making
21 sure ADUs are one story unless they provide parking
22 on the first story.

23
24 One of the primary reasons for introducing ADUs
25 in New York City is that it will allow families to

2 live with relatives such as grandparents and grown
3 children. Another benefit can be to help families
4 get an additional income stream. However, both of
5 these goals are undercut if the institutional buyers
6 are allowed to develop these ADUs, using both the ADU
7 and the home as rental properties.

8 This is why the council is introducing a
9 homeowner occupancy requirement, which requires that
10 a homeowner live on the property when the ADU is
11 first built.

12 Next, we will talk about the council's response
13 to the City of Yes for Housing Opportunity proposal
14 for the elimination of all parking requirements
15 citywide. First, we must recognize the importance of
16 access to parking and car transportation varies
17 across New York City.

18 New York City is a very large city and some areas
19 of the city are not well serviced by public
20 transportation. I'll say that one more time because
21 a lot of people don't understand that: New York City
22 is a very large city and some areas of the city are
23 not well serviced by public transportation.

24 Is this fair? No. Should residents in this
25 badly-serviced areas be penalized further? No. I

2 live in one of these areas. You need a car to get
3 groceries, grab coffee or go to the doctor, and bring
4 your kids to the park or play date. Our
5 modifications reflect this reality, our constituents'
6 reality. We are recommending that three different
7 parking zones be created.

8 Zone one, where parking requirements will be
9 fully eliminated for new buildings will apply to
10 neighbors that have very good access to transit, low
11 commute times, and higher shares of commuters to
12 Manhattan. Manhattan south of 96th Street is already
13 excluded from any parking requirements. This zone
14 will now include community districts 9, 10, and 11 in
15 Manhattan, 1 and 2 in Queens, and most of Western
16 Queens and Brooklyn community districts 1, 2, 3, 4,
17 6, 7, and 8.

18 In addition, existing buildings in zone one will
19 be able to remove parking through the proposed City
20 Planning Commission. Zone one will lift parking
21 requirements for the most people of any city in the
22 United States. Zone two will cover areas of the city
23 with access to public transit, but different
24 commuting patterns than zone one, in that families in

2 zone two commute less into Manhattan for work than
3 families in zone one, and depend more on a car.

4 In zone two, parking requirements for multifamily
5 developments will be significantly reduced for
6 current levels, while parking requirements for one to
7 two family homes will remain in place. Finally, in
8 zone three, areas beyond other geographics--
9 geographies-- I'm getting tired right now-- with
10 great car dependencies, parking requirements will be
11 only modestly reduced and mostly maintained as they
12 are today.

13 In all three zones, certain types of developments
14 that might be infeasible, if parking were to be
15 required, will be exempt.

16 These include office to residential conversion
17 and ADUs, as well as TODs and Town Center districts
18 of less than 75 units.

19 Finally, I'd like to touch on an important issue:
20 Preservation of a community's voice. As you can see
21 in my remarks today, community voice is essential, as
22 it allows the council to act on community concerns
23 and allows input into land use by those who know
24 their community best.

2 Before going into the ways that council is
3 modifying the proposal to preserve community input, I
4 wanted to explain the administration's proposal does
5 not take away or change the ULURP process. This
6 proposal seeks to scale back the requirement for
7 certain special permits that currently require
8 community input in council's vote. The proposal is
9 to replace these special permits with authorizations,
10 which is a process that allows the CPC to modify
11 certain zoning requirements without the council's
12 review.

13 This is not acceptable. We need to modify the
14 proposal to maintain these special permits and
15 maintain community's input. I just discussed a lot
16 of information.

17 We'll be posting the materials on the council's
18 planning and land use webpage that explain the
19 modifications that we are recommending. I hope your
20 main takeaway today is that we listen to our
21 communities and that we carefully review the
22 administration's proposal, and that we are
23 recommending modifications to reflect the actual
24 lived reality of New Yorkers.

2 Plans should not be a theoretical exercise or
3 wishful thinking. It needs to reflect the actual
4 built environment of our neighborhoods and be
5 responsive to the challenges our constituents face
6 every day.

7 Okay. That was a lot.

8 All right. Before I discuss the next vote,
9 council: Are there any Councilmembers with questions
10 or remarks at this time? Members appearing remotely
11 can use the raise hand function.

12 Councilmember Carr.

13 COUNCILMEMBER CARR: Thank you, Chair. Thank
14 you, Chair Riley. I'd like to take this opportunity,
15 pursuant to Section 9.110 of the rules of the
16 council, to move to amend the motion to approve
17 LU181-2024 with modifications to be a motion to
18 disapprove.

19 CHAIRPERSON RILEY: Councilmember Carr, you have
20 to wait until we call the vote to make the motion, so
21 I'll come back to you, okay?

22 COUNCILMEMBER CARR: Okay, no problem.

23 CHAIRPERSON RILEY: We are also voting today to
24 approve LUs 185-187, relating to the Port Authority
25 bus terminal replacement project.

2 Millions of commuters and visitors rely on the
3 bus terminal to access the city. The existing
4 terminal is unwelcoming, overcapacity, and
5 increasingly obsolete. It needs a complete redesign,
6 and today that is exactly why we approve the needed
7 zoning changes to make this work possible.

8 As you can imagine, the bus terminal cannot
9 simply be shut down. This will require a
10 complicated, multi-phase, multi-year process.

11 The proposal includes three actions. The first
12 action is to de-map portions of the certain streets
13 around the terminal area to allow for a cohesive
14 design.

15 The second action is a zoning text amendment that
16 will allow the Port Authority to construct the
17 proposed design through a special permit.

18 And the third action is the special permit
19 application.

20 With the approval of these three actions, the
21 much-needed redesign of the Port Authority bus
22 terminal will hopefully start without delay.

23 I will now call for a vote to approve with
24 modifications LUs 181, relating to the City of Yes
25 for Housing Opportunity text amendment, and to

2 approve LUs 185-187, relating to the Port Authority
3 bus terminal application. Councilmember Carr?

4 COUNCILMEMBER CARR: Thank you, Chair. I'll try
5 that one more time. Pursuant to Section 9.110, I
6 move to amend the motion to approve LU 181-2024 with
7 modifications to a motion to disapprove.

8 CHAIRPERSON RILEY: Thank you. So there's a
9 motion before the subcommittee. Councilmember Carr,
10 you have two minutes to explain your motion.

11 COUNCILMEMBER CARR: Thank you, Chair and
12 colleagues. The motion is simple. The purpose and
13 the effect would be to replace the 1,300-plus pages
14 that the Chair referenced in his opening remarks with
15 one word: No. No to a uniform land use review
16 process that began with a preordained conclusion by
17 this administration. No to a process that solicited
18 communities and community boards for their comments
19 and feedback, only for it to be mostly ignored. No
20 to a process that did not begin with infrastructure
21 carefully planned as it should and now involves a mad
22 dash to capture whatever dollars we think we can get
23 on a commitment that may never be made good on. No
24 to a process that tries to tell hardworking blue-
25 collar residents across the city what their

2 neighborhoods should look like and that they have not
3 been doing enough for a housing crisis.

4 No one denies that the housing crisis exists.
5 Indeed, this council institutionally has certified
6 one exists for decades. It is not new. And there's
7 absolutely a lot that we can do to address that
8 particular concern. But this process is not the one
9 to do it. This process, which the administration
10 claims is going to result in a little bit of housing
11 everywhere and yet somehow will not tax our already
12 overtaxed infrastructure, simply does not make sense.

13 So the "no" today is not a no to more housing.
14 It's not a no to a conversation. It's not even an
15 end to the conversation on housing that we have been
16 embarking on for the last several years.

17 It's an opportunity to begin anew a conversation
18 about housing the right way, one that involves
19 actually consulting our neighborhoods and putting
20 them first, working with them contextually to achieve
21 housing goals across the city, and most importantly,
22 to get infrastructure commitments up front so that we
23 know that they can be made good on in the years to
24 come as we work with this administration and any in

2 the future in order to ensure that we have the
3 infrastructure needs that our communities require.

4 And so with that, I ask my colleagues to vote yes
5 on my motion in order to amend this to be a motion to
6 disapprove LE181, City of Yes CHO.

7 Thank you, Chair.

8 CHAIRPERSON RILEY: Thank you, Councilmember
9 Carr. Are there any members of the committee who
10 wish to speak on Councilmember Carr's motion?

11 Members will be given two minutes to speak.

12 Councilmember Hanks? Chair Hanks, excuse me.

13 CHAIRPERSON RILEY: HANKS: Thank you, Chair. I
14 would like to associate my comments with my
15 colleague, Councilmember David Carr. When we started
16 this process, it was in good faith.

17 It would have been easier to say, "We want to
18 allow for 5,000 units of housing per district, and
19 how are we going to get there?" Staten Island is not
20 the Bronx. It is not Brooklyn. It is not Queens.
21 It is not Manhattan.

22 We don't have the same issues, and we do not have
23 the same infrastructure. We do not have the same
24 transit-oriented, whatever these districts are. We
25 do not have that.

2 And so I think what we're trying to say is, is
3 that the City of Yes started a very, very important
4 conversation, and that conversation is talking about
5 how we want to plan each of our neighborhoods, but
6 what it lacked is how we are going to do that with
7 the respect and the understanding of each of our
8 individual neighborhoods. So while I think that this
9 process happened, I would like to vote yes on his
10 motion.

11 CHAIRPERSON RILEY: Thank you, Chair Hanks. Any
12 other members? Okay.

13 The question before the committee is whether the
14 question posed to the committee should be converted
15 from a recommendation to approve with modifications
16 to a recommendation to disapprove L.U.'s 181. I'm
17 going to urge my colleagues to vote no on this
18 motion. I just explained in detail how we are
19 modifying the proposed reform to make it into a
20 housing proposal that will actually support our
21 communities.

22 Our communities need housing, and we have worked
23 hard to find a reasonable way to achieve this goal,
24 so I strongly urge that we vote no on this motion and
25 get back to actually solving the housing crisis of

1 ZONING AND FRANCHISES 31

2 our constituents that they are facing each and every
3 single day. So I'm going to ask Counsel, can you
4 please call the roll for this vote?

5 COMMITTEE COUNSEL: And just to be clear, we are
6 at this time just voting on Councilmember Carr's
7 motion.

8 CHAIRPERSON RILEY: Yes.

9 COMMITTEE COUNSEL: Chair Riley, how do you vote?

10 CHAIRPERSON RILEY: No.

11 COMMITTEE COUNSEL: Councilmember Moya?

12 COUNCILMEMBER MOYA: I vote no.

13 COMMITTEE COUNSEL: Councilmember Abreu?

14 COUNCILMEMBER ABREU: No.

15 COMMITTEE COUNSEL: Councilmember Hanks, Chair
16 Hanks?

17 COUNCILMEMBER HANKS: I vote aye.

18 COMMITTEE COUNSEL: Councilmember Schulman?

19 COUNCILMEMBER SCHULMAN: No.

20 COMMITTEE COUNSEL: Councilmember Salaam?

21 COUNCILMEMBER SALAAM: I vote no.

22 COMMITTEE COUNSEL: Councilmember Carr?

23 COUNCILMEMBER CARR: Aye.

24 COMMITTEE COUNSEL: Five to two, the motion
25 fails. We can now proceed with the original votes.

2 CHAIRPERSON RILEY: Thank you. I will now call
3 for a vote to approve modifications L.U.'s 181
4 related to City of Yes for Housing Opportunity text
5 amendment, and to approve L.U.'s 185 through 187
6 relating to the Poor Authority Bus Terminal
7 Application. Counsel, please call the roll.

8 COMMITTEE COUNSEL: Okay, I just will remind the
9 Councilmembers we are voting on two different items,
10 so if you are not voting straight yes or no across,
11 please let us know which one you're voting yes or no
12 to.

13 Okay, so let's start this over.

14 Chair Riley?

15 CHAIRPERSON RILEY: Yes.

16 COMMITTEE COUNSEL: Councilmember Moya?

17 COUNCILMEMBER MOYA: I vote aye.

18 COMMITTEE COUNSEL: Councilmember Abreu?

19 COUNCILMEMBER ABREU: Permission to explain my
20 vote?

21 CHAIRPERSON RILEY: Permission granted.

22 COUNCILMEMBER ABREU: Today wasn't about
23 achieving anyone's perfect vision. This bill isn't
24 exactly what any of us would have drafted alone, but
25 that's the nature of democracy.

2 It's about negotiation, compromise, and the hope
3 that the final product moves us forward. What's
4 undeniable here is the magnitude of the financial
5 commitment we've secured. \$5 billion dedicated to
6 affordable housing, this is transformative.

7 I want to thank the Speaker's Office for
8 complementing the City of Yes.

9 Addressing our housing crisis has never been more
10 urgent. Too many New Yorkers are living on the edge,
11 struggling to find or keep a home they can't afford.

12 City of Yes is a step toward ensuring every
13 family has the stability and dignity that housing
14 provides. By passing the City of Yes, we will be a
15 better city tomorrow than we were yesterday. I vote
16 aye.

17 COMMITTEE COUNSEL: Chair Hanks?

18 [BACKGROUND VOICES]

19 CHAIRPERSON RILEY: Sergeant, can you please
20 remove? Quiet, please. Quiet, please. Quiet,
21 please. Thank you.

22 COMMITTEE COUNSEL: Okay, so returning to the
23 vote here on the two projects that we discussed
24 earlier, we were at Chair Hanks.

2 CHAIRPERSON HANKS: Permission to explain my
3 vote?

4 CHAIRPERSON RILEY: Permission granted.

5 CHAIRPERSON HANKS: Thank you, Chair. The City
6 of Yes for Housing Opportunity set out to be a
7 solution for our city's housing and zoning
8 challenges. And for the most part, it did that in
9 certain boroughs. However, it falls short for a
10 borough like Staten Island in achieving its stated
11 goals, and it fails to adequately address the unique
12 challenges of my district.

13 One significant concern lies with the exemptions
14 for the accessory dwelling units, the R1 and 2A and
15 R2A and R3A districts. While these exemptions are a
16 good starting point, they fail to consider the unique
17 nature of Staten Island zoning realities, and many of
18 our historic neighborhoods simply will be opened to--
19 they'll be vulnerable and unprotected under this
20 current plan. But I do want to take this opportunity
21 to thank Paris Strouder, who did an extraordinary
22 job. I want to thank our civic associations, urban
23 planners. And their perspectives were critical in
24 shaping this discussion and ensuring that Staten
25 Island's voice was heard. In conclusion, I must vote

2 no on LU item 181 due to these unresolved issues, but
3 aye on all the rest. Thank you very much, Chair.

4 COMMITTEE COUNSEL: I'm sorry, Chair Hanks, just
5 to confirm your voting, how you're voting on both?

6 CHAIRPERSON HANKS: Sorr. I voting no on 181 and
7 aye on all the rest. I said that.

8 COMMITTEE COUNSEL: Okay. That's what I didn't
9 hear. My apologies. Councilmember Schulman.

10 COUNCILMEMBER SCHULMAN: Permission to explain my
11 vote?

12 CHAIRPERSON RILEY: Permission granted.

13 COUNCILMEMBER SCHULMAN: Thank you. First, I
14 want to say that I'm voting yes on the Port
15 Authority, so just so you have that.

16 COMMITTEE COUNSEL: Thank you.

17 COUNCILMEMBER SCHULMAN: So first, I want to
18 commend Speaker Adrian Adams and the land use staff
19 and the speaker staff for putting together the
20 changes that they did for the City of Yes. I mean,
21 it was quite extraordinary. They didn't have a lot
22 of time to do it. And I think they made a lot of
23 major advancements on it.

24 But we haven't changed the zoning text since
25 1961, and so this is a major undertaking, and it's

2 being rushed through, I think, in a lot of different
3 ways. And so, I still have major reservations about
4 it. Just like Robert Moses, way back, was thought to
5 be a miracle worker when he changed the
6 infrastructure of New York City, and now we're in the
7 process of trying to undo some of the damage that was
8 done then. I don't want to see the same damage done
9 with the City of Yes, and I won't be here in 50
10 years, but my niece and nephew will, and I also heard
11 very loud the voices of my constituents, so I vote no
12 on the City of Yes.

13 COMMITTEE COUNSEL: Councilmember Salaam.

14 COUNCILMEMBER SALAAM: I vote aye on all.

15 COMMITTEE COUNSEL: Councilmember Carr.

16 COUNCILMEMBER CARR: Permission to explain my
17 vote?

18 CHAIRPERSON RILEY: Permission granted.

19 COUNCILMEMBER CARR: Thank you, Chair. You know,
20 I spoke when I made my motion earlier, but I just
21 want to add some local color to the reasons why I'm
22 opposing this.

23 You know, I come from a community that is home to
24 people who chose to leave where they came from,
25 usually other parts of the city, in order to find a

2 better quality of life. And that's what's been
3 motivating my approach, and the same is true for the
4 Southwest Brooklyn constituents I represent. These
5 are neighborhood characters that have served
6 generations of families well.

7 There's absolutely opportunities to find new
8 housing within them, but this is not the correct
9 approach. And there have been a number of times
10 where my council delegation and our other colleagues
11 came forward and said we were willing to meet the
12 administration and find a way to meet housing goals,
13 but in a way that respected neighborhood context, in
14 a way that respected local infrastructure needs. And
15 those offers were not taken up on.

16 And it's a shame because there was a way for us
17 to contribute to the housing stock need, but at the
18 same time, doing so in a way that was careful and
19 considerate of neighborhood context. We need to put
20 neighborhoods first in these conversations. And the
21 council, by design of the charter, is meant to be a
22 champion of the local, rather than give way to the
23 pressures of the executive branch who have a citywide
24 basis.

2 And that's unfortunately what we're acquiescing
3 to by really putting forward, from my perspective,
4 minimal accommodations to the local concerns that
5 were articulated by my communities. But most
6 importantly, I think what's at play here is that this
7 is a mapping action masquerading as a text amendment.
8 And there was no environmental due diligence done for
9 a mapping action, but we are in effect creating new
10 mapping districts through the transit-oriented
11 development, through so many other aspects of this
12 plan.

13 And so I do not believe that the environmental
14 due diligence was done. And I do not believe that
15 this plan could survive a court challenge and very
16 likely may not survive one if it comes to fruition.

17 Thank you, Chair. And with that said, I vote no
18 on LU-181 and I on the rest.

19 COMMITTEE COUNSEL: Thank you, Councilmember.

20 By a vote of four in the affirmative, three
21 opposing, and zero abstention, the items are approved
22 and referred to the full Land Use Committee regarding
23 LU-181 related to the City of Yes for Housing
24 Opportunity.
25

2 Regarding LU-185 through 187 relating to the Port
3 Authority Bus Terminal Application, by a vote of
4 seven in the affirmative, zero opposition, and no
5 abstention, the items are approved and referred to
6 the Land Use, also to the full Land Use Committee.
7 Chair.

8 CHAIRPERSON RILEY: That concludes today's
9 business.

10 I just want to confirm that the votes have been
11 closed. I would like to thank the members of the
12 public, my colleagues at Committee Council, Land Use,
13 and other council staff, and the Sergeant-at-Arms who
14 participated in today's meeting. This meeting is
15 hereby adjourned.

16 Thank you.

17 [GAVEL]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date 11/24/2024