



BROOKLYN COMMUNITY BOARD 14
FLATBUSH–MIDWOOD COMMUNITY DISTRICT
810 East 16th Street
Brooklyn, New York 11230

Preliminary Comments Re: The Department of City Planning City of Yes,
Zoning for Carbon Neutrality proposal
July 3, 2023

In July of 2022, Commissioner Dan Garodnick announced DCP’s new approach to gathering community input on zoning text amendments, stating that, “Note: I have heard a critique from community board members that -- in the past -- the Department of City Planning has not solicited community input until concepts were fully baked into a final proposal. That will not be the case here. I am reaching out now to let you know that we are excited to collaborate with you as we develop each of these proposals, and we have built in time in the process to allow for that. For example, we do not intend to refer our first proposal – Zoning for Zero Carbon – to the City Council until early 2023. The others will follow.”

We applauded those efforts and took advantage of preliminary presentations to our Housing and Land Use Committee on September 19, 2022. Many board members attended information sessions that DCP provided in the following months. The Board was awarded a Planning Fellow through the Fund for the City of New York, who focused solely on the City of Yes Zoning for Carbon Neutrality proposal and how it would affect us locally, which was presented on May 10, 2023.

However, despite these earlier efforts, DCP has fallen back into old habits by certifying the proposal on May 2nd, with a 60-day comment period. This left very little time for our Board to schedule a public hearing with DCP. Our May meeting and hearing dates were scheduled in April. We were able to plan a June 8th hearing but since our full Board meeting fell on June 12th and since that’s the last full board meeting of the season, there was no opportunity to ratify a position on the substance of the final, certified proposal which included details that had not been previously presented.

Because the members of CB14 are supportive of the aspirations of this zoning text amendment, we offer a provisional and conditional recommendation to approve. However, this is not offered without some consternation. The plan is not fully realized. Therefore, our community is being asked to approve the unknown. We are not in the habit of offering carte blanche approvals without a sense of impacts on our community’s residents, businesses, and built environment.

Therefore, the conditions related to this approval are that DCP will satisfactorily address concerns related to the 17 proposals that fall into the energy, buildings, transportation, and waste & water categories. There is very little acknowledgement that other agencies, such as DOT, DEP, DOB and DOF will have to play a role and that there will be various long- and short-term economic implications for the city, its merchants and residents alike. There is also no mention of how this proposed zoning change interacts with other recently passed zoning text amendments, nor does it acknowledge Brooklyn’s Comprehensive Plan.

The members of CB14 will continue to review the substance of the plan over the summer and will offer a more detailed recommendation with specific conditions in September. In the meantime, we will offer preliminary recommendations based on the work of FCNY Planning Fellow Morgan Reuther. Namely,

proposal 15 should add flexibility to the street tree requirements to allow connected tree beds, as well as substitution of one required street tree with a DEP-compliant raingarden. As it's currently written in the proposal, the text precludes the use of newer more inventive prototypes. Regarding proposal 14, we urge DCP to revise the language to make it clear that permeable paving is always permitted and to provide incentives instead of adding DOB red tape. Impervious surfaces in CD14 can create opportunities to integrate green infrastructure for stormwater management and combat urban heat island effects. These aspects of the plan offer opportunities to mitigate chronic flooding conditions in our district. In addition, related to proposal three is a concern that to locate solar generation in the district, solar and storage system need to be kept small so that they can be considered "accessory" which precludes grid-supporting installations. Consider reclassifying this use as "renewable energy generation" and permit installations of less than 10,000 sf in residential districts, as of right.

We look forward to offering additional comments in September and trust that the other upcoming City of Yes proposals will be mindful of Community Board schedules.

Thank you,
Jo Ann Brown, Chair
Gregory Alvarez, Co-Chair, Housing and Land Use
Talisha Sainvil, Co-Chair, Housing and Land Use