

## City of Yes for Carbon Neutrality Enters Public Review

On April 24<sup>th</sup>, the City Planning Commission referred the first of Mayor Eric Adams' "City of Yes" zoning text amendments for public review. The proposed text amendment, prepared by the Department of City Planning in close consultation with the Mayor's Office of Climate and Environmental Justice, is referred to as "City of Yes for Carbon Neutrality" (COYCN). COYCN seeks to remove overly burdensome zoning requirements and expand opportunities for decarbonization projects throughout New York City.

"Today, New York City is saying 'yes' to a cleaner, greener, more prosperous future for generations to come," Mayor Adams said in a [press release](#). "This proposal will make it easier to tackle climate change in the places we go, how we get there, and what we do."

COYCN aims to remove zoning as an impediment to decarbonizing the city's electricity sources and support the clean energy grid. The proposed text amendment can be broken down into four categories of proposals: energy, buildings, transportation, and waste and water management.

### Energy

COYCN would expand the area within rooftops and yards where solar panels and other energy infrastructure equipment can be located. The text amendment would also allow for energy grid components, such as energy storage systems and community solar projects, to be located in the majority of the city's zoning districts. If adopted, the proposal would also create a tool for the City Planning Commission to grant zoning relief for on-shore wind projects along the city's waterfront on a case-by-case basis.

### Buildings

COYCN also aims to promote building retrofits. Floor area deductions for building exteriors, commonly known as "Zone Green," would be modified to reflect modern building standards and encourage better-than-code performance. These modifications would ensure older buildings could incorporate the energy infrastructure equipment needed to comply with Local Law 97 requirements.

### Transportation

The proposed text amendment would also modify parking regulations across the city to encourage more electric vehicle charging stations that are accessible to more of the city's drivers.

### Waste & Water Management

Finally, COYCN would ensure new projects can incorporate stormwater and waste management measures by updating street tree regulations to include opportunities for rain gardens and alternative planters and by clarifying where composting and recycling are permitted. As part of the update to street tree regulations, developers would only be permitted to pay into the Department of Parks and Recreation's tree fund where the Department determines planting or alternative measures would be infeasible at the development site or where the Landmarks Preservation Commission determines planting or alternative measures would be inconsistent with the character of a designated landmark or historic district.



Rachel Scall

Member

rscall@cozen.com  
Phone: (212) 453-3992  
Fax: (212) 509-9492



Vivien Krieger

Co-Chair,  
Zoning, Land  
Use &  
Development

vkrieger@cozen.com  
Phone: (212) 883-2228  
Fax: (646) 588-1566

### Related Practice Areas

- Real Estate
- Zoning, Land Use & Development

“City of Yes for Carbon Neutrality is designed to flip the script so zoning will help and not hinder our path for a greener city,” City Planning Commission Chair Dan Garodnick said during the Department of City Planning’s presentation of COYCN to the Commission.

COYCN additionally includes changes to the text intended to make the Zoning Resolution clearer and more consistent. For example, the proposed text would allow uses accessory to a principal use located on two or more contiguous zoning lots under the same ownership to be used by all zoning lots. This would allow for small-scale energy infrastructure equipment to be used by multiple zoning lots under common ownership.

The text amendment will now go to all 59 of the city’s Community Boards and all Borough Presidents and Borough Boards before ultimately being heard and voted on by the City Planning Commission and City Council. The Department of City Planning anticipates completing the public review process for the City of Yes for Carbon Neutrality in October 2023.

We will continue to follow the proposed text amendment through the public review process, as well as the continued rollout of the Mayor’s City of Yes plan. We welcome any requests for further information.

---