



Office of the Mayor  
City of New York

**MARIA TORRES-SPRINGER**  
DEPUTY MAYOR FOR HOUSING,  
ECONOMIC DEVELOPMENT AND  
WORKFORCE

May 22, 2024

The Hon. Adrienne Adams  
Speaker of the New York City Council  
City Hall  
New York, NY 10007

Dear Speaker Adams:

Thank you for your leadership and partnership in advancing City of Yes for Economic Opportunity. This historic initiative will remove outdated limitations on businesses and ensure that local retail streets and commercial centers across the city remain lively places that sustain our neighborhoods.

In the course of discussions over this initiative, your team and members of the Council have raised a number of thoughtful suggestions that have improved the proposal and related City initiatives. We appreciate the Council's dedication and collaborative approach, and in the same spirit make the following commitments.

#### **1. "Last-Mile" Facilities**

The Council has raised serious and complex issues respecting the placement and impact that large "last-mile" warehouses have on New York communities, particularly those living in or adjacent to industrial areas.

All recognize that potential solutions to these challenges require deliberate study and public process, as well as engagement with community members, elected officials, the logistics industry, and other affected stakeholders in areas where these facilities are presently concentrated, as well as those areas where they may be located in the future. Nevertheless, the City shares the Council's desire to take near-term steps to address the harmful effects of the last-mile operations. To that end, the City commits – in this calendar year – to work alongside the City Council to advance legislation that would empower the City's Department of Environmental Preservation to enact an indirect source rule to regulate emissions associated with warehouse operations. Regulations promulgated under this statute would be coordinated with any necessary environmental review. Further, the Department of City Planning will propose and advance a zoning change application that would regulate last-mile facilities via CPC special permit processes, begin stakeholder engagement in 2024, and issue a 30-day scoping notice by the end of March 2025.

More broadly, the Council has charged the Administration with developing a holistic industrial strategic plan as part of Local Law 172 of 2023, and we believe this plan offers a timely opportunity to address last mile concerns and implement new policies in the context of developing a holistic industrial policy for the city that balances the need to support our industrial economy with the need to ensure our communities are protected from the potential environmental effects of industrial businesses. We anticipate submitting draft recommendations to the Council by July 2025 and final recommendations by December 31, 2025.

## **2. Alternative Delivery**

Investing in modern, low-carbon intermodal freight is critical to our city's economy and environmental goals. In City of Yes for Economic Opportunity, the City will unlock new opportunities for micro-distribution facilities, alleviating truck congestion and fostering alternative modes of safe and sustainable neighborhood delivery. But the City's commitment to alternative delivery goes well beyond the zoning tools enabled in City of Yes.

I am pleased to share with you that the City is leading the development of a harbor-wide Blue Highway network to get trucks off the road, improve the environment, and address the explosion of e-commerce and last-mile facilities in environmental justice communities. Today, to take just one example, approximately 30,000 trucks cross the George Washington Bridge daily, the busiest and most congested Hudson River crossing between New Jersey ports and warehouses and the NYC market. To drive a reduction in trucks and emissions, NYCEDC – with \$5.16 million from a USDOT and MARAD grant – will manage the implementation of six harbor Blue Highway landings by early 2026 to dock vessels and transload cargo for last-mile deliveries by zero-emission cargo bikes, e-quads, and electric vans in Manhattan, Brooklyn, and the Bronx. This effort is being implemented in concert with a Blue Highway RFEI released in November 2023, jointly between NYCEDC and NYC Department of Transportation, to gauge private-sector demand for short-sea shipping routes and electrified micromobility for last-mile logistics.

## **3. Industrial Investment**

The Council has also highlighted the need to freshly examine the City's approach to investing in industrial development. As part of the holistic industrial strategic plan required by Local Law 172 of 2023, the City is required to assess and evaluate its existing policies and programs to support industrial development, including land use and financial incentives. This includes the use of financial incentives available through the NYC Industrial Development Agency (IDA).

In light of the M2A Transition zone created under the City of Yes, which establishes for the first time an as-of-right zoning incentive for the creation of new industrial space, we believe there is an opportunity to align the use of this new zoning incentive with financial incentives, including IDA benefits. As part of the City's industrial strategic plan, we commit to exploring the financial feasibility of new developments under the transition bonus, and making recommendations toward utilizing and improving existing financial incentive programs to better align with these new zoning bonuses and incentivize the creation of new industrial space – similar in kind to the FRESH program, which pairs financial and zoning incentives. Likewise, the City will examine existing industrial business services, including Industrial Business Providers supported through the NYC Department of Small Business Services (SBS).

## **4. Department of Buildings**

By streamlining outdated regulations on small businesses, City of Yes will make it easier for supervising agencies – like the Department of Buildings (DOB) – to prioritize the core safety and quality of life issues that matter to New Yorkers the most.

To even further strengthen these efforts, I am happy to report that the City will make additional investments in DOB resources to supplement its capacity to protect the public and preserve quality of life. In the FY25 November Plan, the City – in partnership with the Council – is prepared to commit an additional \$4.7M in baselined funds to DOB to assist enforcement of quality of life and critical life/safety issues. These resources will permit DOB to fund 60 new full-time employees and stand up a new proactive enforcement program, which would allow DOB to proactively inspect buildings and sites affiliated with known bad actors, utilize data to identify potential building issues before they arise, conduct follow-up inspections at existing buildings that receive a violation, and expand legal action against bad actors and those with significant unpaid penalties.

## **5. Illegal Smoke and Cannabis Enforcement**

The City shares the Council's concern about the proliferation of illegal smoke and cannabis shops throughout the five boroughs. In recent months, the Administration advocated for, and secured, new authority from the State that gives the City the tools to shut down these illegal operations. And I am happy to report that the City has moved expeditiously to use this authority, with the launch of "Operation Padlock to Protect" – a sustained multi-agency enforcement action that brings together resources from the New York City Sheriff's Office, the NYPD, and the New York City Department of Consumer and Worker Protection (DCWP).

In just the first week, these efforts led to:

- 150 inspections of unlicensed locations in the vicinity of schools or houses of worship;
- 77 cease and desist orders and 75 shops sealed;
- 370 notices of violations holding 3,876 counts of violations across NYPD, DCWP, and the Sheriff's Office; and
- More than \$5,960,000 in civil penalties issued.

The Administration is committed to rooting out illegal smoke and cannabis shops and will continue to update the Council on the progress of its enforcement efforts.

## **6. Nightlife**

Nightlife businesses are critical to our city's economy and vibrant culture. They can also pose special quality of life concerns that require a coordinated response. To improve public safety responses to nightlife establishments and more equitably engage with nightlife business owners, the Administration recently launched the "Coordinating a United Resolution with Establishments" (CURE) initiative. Under CURE, the New York Police Department (NYPD), SBS, and the Office of Nightlife (ONL) work together to uphold public safety standards while saving small businesses from costly and unnecessary disruptions.

CURE advances public safety responses by requiring NYPD precincts to establish direct, in-person communication with business owners and managers in conjunction with ONL, making them aware of potential violations and conditions of concern. Where venues demonstrate a clear and intentional disregard for community concerns by failing to heed opportunities for cooperation with the NYPD and non-enforcement personnel at ONL, CURE helps ensure that the venues are subject to significant enforcement action. This new initiative involves a series of steps to be taken at the precinct level in coordination with ONL prior to inspection by the NYPD's Patrol Services Bureau, including in-person daytime visits, written documentation of incidents of concern, and in-person meetings between business owners and local precinct officials. And in cases involving complaints from local residents, ONL's free mediation program – Mediating Establishment and Neighborhood Disputes NYC – is engaged to help improve neighborhood relations through the support of neutral, third-party mediation.

Coordination between SBS, ONL, and NYPD is critical to the success of this program. To that end, ONL is participating in NYPD COMPStat meetings to help ensure coordinated and data-driven responses to nightlife concerns that prioritize areas and communities of particular concern. Moreover, ONL is attending quarterly nightlife meetings with NYPD Borough Patrols and select precincts to discuss ongoing efforts at implementation, with a particular focus on communities that require special attention.

In recent months, our efforts under CURE have already borne fruit: we have received more than 50 cases since implementation began in January 2024, working directly with precinct commanders and businesses to address issues of concern, including security protocol, traffic and parking plans, hours of operation, noise complaints, disorderly premise incidents and other public safety and quality of life issues. ONL has helped resolve issues and reduce fines and other punitive measures in all five boroughs, from upper Manhattan to the south Bronx, southeast Queens, southern Brooklyn and Staten Island. Following initial implementation with NYPD, CURE protocols now extend to other enforcement agencies such as FDNY, DOB, DEP, and DOHMH, with a

directive to engage ONL to address complaints with education and support when applicable.

To build on these successes, I am pleased to report that the City will commit additional resources to the Office of Nightlife – including an increase in staffing for four new full-time employees in FY25. This commitment would provide a nighttime/swing shift Nightlife/Hospitality Business Compliance and Outreach team to assist nightlife businesses in operating in compliance with all laws and regulations and conduct various business engagement and complaint resolution during evening and nighttime hours. These resources will additionally support the Office of Nightlife in robust implementation of its new CURE effort.

ONL has already met with individual Councilmembers to discuss the CURE initiative, conduct district walk-throughs, and help resolve concerns about particular establishment. ONL stands ready to do the same with any Councilmember at their request. In addition, the ONL and Mayor Adams will be hosting a roundtable with nightlife leaders this summer and participation by members of the Council in that roundtable is welcome.

While CURE remains in the early months of its implementation, initial results are promising, and we are committed to working with the Council to monitor the success of this effort, solicit Councilmember and community feedback, and ensure that our thriving nightlife industry is consistent with public safety and quality of life for New Yorkers.

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As to each of the commitments made in this letter, the City will post online, track, and make an annual report on the status of implementation and completion.

Thank you

A handwritten signature in dark ink, appearing to read 'Maria Torres-Springer', followed by a long horizontal line that tapers to a point on the right.

Maria Torres-Springer  
Deputy Mayor