



PUBLIC ADVOCATE FOR THE CITY OF NEW YORK
Jumaane D. Williams

**TESTIMONY OF PUBLIC ADVOCATE JUMAANE D. WILLIAMS
TO THE NEW YORK CITY COUNCIL SUBCOMMITTEE ON ZONING AND
FRANCHISES - HEARING
SEPTEMBER 15, 2020**

Good morning,

My name is Jumaane D. Williams, and I am the Public Advocate for the City of New York. I would like to thank the Subcommittee on Zoning and Franchises chair Francisco Moya for holding today's hearing.

Today the subcommittee will hear the rezoning application for Sunset Park, Brooklyn. I have made my opinion clear on this application. I stand by the community that is genuinely concerned about this rezoning and oppose the application before the subcommittee today.

After listening to residents in Sunset Park who would be affected by the rezoning, I cannot agree that this proposal is reflective of the community's needs. There are many questions and genuine concerns. One example is the environmental impact from the development. The plan would redevelop the waterfront for wealthier residents at the risk of displacing low-income residents. Construction jobs are helpful, but not at the expense of local residents or long-term sustainability. Advocates already have a plan to reimagine the waterfront for sustainability and resilience with green jobs for residents. Yet the environmental impact statement is insufficient per local concerns, and I agree that it is not prioritizing climate-related issues.

For far too long, rezonings have not taken into consideration the views of communities of more color. Developers push through projects despite local community members opposition and concerns. We need to change the process of rezonings, and ensure that residents have ample opportunities to be engaged, especially during the pandemic. Only then can we have a genuine conversation about the intent and impact of rezonings. Otherwise, these processes will benefit the developers rather than the community that will be impacted the most from these projects.

I am not alone in advocating a review of our land use application processes. Community Board 7, which did not offer its support for the Industry City rezoning, also highlighted that the Uniform Land Use Review Procedure does not work. How can we sit here and offer support for a rezoning application based on a broken system? What does that say about rezonings in general? History shows the rezoning processes are never guaranteed. In 2016, there was a rezoning of



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East New York that led local residents and organizations to propose to the New York State Department of State a cease-and-desist zone in East New York's rezoning area. In Inwood, Manhattan, the City Council-approved rezoning in 2018 led to a state lawsuit, and the Council vote in favor of it was initially annulled. If the application is approved today, residents may rightfully continue to oppose it through legal means.

There should be a moratorium on all rezoning applications until Int. No. 1572 is passed. The legislation would require a racial impact analysis with all land use applications. This would evaluate racial and ethnic impacts from a proposed development as well as whether it would address fair housing under the Fair Housing Act of 1968. In short, this would finally create accountability for the City's rezoning process.

I am aware that the City's finances are dire. I am aware that there is a City unemployment rate of about 20 percent. Some proponents view the Industry City rezoning as a chance to provide an economic lifeline for the City, especially amid the fallout from the pandemic. I understand this argument. However, we have seen communities of more color endure significant health and financial impact from the pandemic. I am not convinced that rezoning will lead to these neighborhoods getting the assistance they need. The promised 20,000 jobs from the proposal, is just that, a promise-- it may not benefit everyone in the community. That worries me.

The Hudson Yards development comes to mind since it obtained billions of dollars in City subsidies. However, the intended effect of stimulating our economy is yet to occur. This may have resulted from the pandemic, but pre-pandemic there was evidence suggesting it was not helping the community despite the substantial government subsidies. I believe there is a lesson to be learned. No one can predict the future since there are always risks. I worry that the risks are being downplayed with this application today. We should remember that, especially when listening to local residents who understand and must live with these risks.

We need to listen to the communities that will be most affected by rezonings, and we need to reimagine our rezoning application process, which now fails to center local concerns. My bill Int. No. 1572 is a way to improve this process, and I call on the City Council to hold a hearing. I thank the chair for allowing me to speak today, and I look forward to today's discussion.