



Statement on NYC Bicycle Parking Zoning Text Amendment City Planning Public Hearing, February 4th, 2009

We are here to testify on behalf of the New York Chapter of the American Institute of Architects, a professional organization with over 4,400 architect and public members.

The objective of the proposed Zoning for Bicycle Parking is straightforward: to reduce a major impediment to increasing bicycle usage by providing required parking for bicycles at both ends of commuter and leisure trips. In 2007, AIANY adopted a policy statement and background paper supporting the City's efforts to increase bicycle use as part of its review of PlaNYC transportation and active living goals. We continue this support and congratulate the Department for efforts to contribute to these goals.

After reviewing the impressive work done by DCP in putting forward this zoning proposal, we have had a vigorous and healthy debate about how to best achieve its objectives within the context of other public policy goals. We strongly support the purpose and much of the text itself. We do have some suggestions for how to make the requirements more usable by integrating them with current automobile parking requirements, providing for greater design flexibility, and avoiding undue burdens on affordable housing developers, senior and special-needs housing projects, and others.

As we debated our recommendations, we asked if regulation is the only tool, or if incentives and bonuses should be used to help make the zoning more cost neutral. Will the regulations work as intended or will there be unintended side effects? We are suggesting six "friendly amendments" and text changes to this zoning text proposal that would achieve the mutually agreed-upon objective: to consistently provide safe, indoor bicycle parking for New York City residents in commercial and residential buildings.

In terms of our concerns, if the solution is treated as strictly regulatory, the cost implications for new housing and office development can be significant, and will increase as the density of building inhabitants and numbers of required bicycles grows. We've estimated the cost to a typical large office building (2 million zoning square feet), for instance, at nearly \$1.8 million. The cost to an affordable housing project is between \$1,000 and \$2,000 per unit. If building size is constrained by the zoning envelope, it may result in 'borrowing from Peter to pay Paul' — losing a housing unit to provide for storage (albeit 'green' storage). The following could offer some solutions.

Following are our ideas to help refine this important proposal:

- *Allow reduction in car parking where bicycle storage makes more sense for building occupants; conversion of car spaces to bicycle spaces could be a cost-neutral solution*

Allow reduction in car parking requirements by one car space for every 20 bicycle storage spaces provided in residential and commercial districts. In other words, allow

projects to trade 1 car space at 300 square feet per car for 20 bike spaces at 15 square feet per space. This could also apply to accessory parking where permitted.

This would not mandate a reduction in car parking; but where it makes sense, this optional trade would create a cost-neutral solution. Particularly in affordable housing projects, we have observed often-empty, required parking spaces that could easily be converted to satisfy bicycle requirements. In the exclusion zone, the densest parts of the City, since parking is not required, this would not be an option. Reduction of required automobile spaces might create incremental discouragement of automobile usage, a major goal of PlaNYC.

- *Add bicycle parking requirement to Manufacturing Uses and to substantial commercial renovation*

We are not sure of the reasoning behind the exception for manufacturing uses, which are likely to be less accessible to public transportation than other uses, and are likely to have a large amount of space on their sites. They should be required to provide safe, indoor bicycle parking in some measure.

Similarly, we feel that if there is a requirement to be met with a substantial residential renovation that there should also be a parallel requirement for a substantial commercial renovation.

- *Allow more flexibility in commercial buildings, and set up an alternative payment option*

There needs to be more flexibility about the placement of the bike storage in commercial buildings. We would recommend using 300 feet from the entrance (approximately half the 200 yard requirement of the USGBC LEED requirement) to create more flexibility than the current requirement of as little as 50 feet from a main entrance.

An alternative use of the resulting mandated cost could also be considered. At \$250 per square foot construction cost, each bicycle space (7.5 to 15 square feet) would add a cost of up to \$3,750. Were that same amount multiplied by numbers of bicycles applied to an alternative fund, it could be used for purchase or rental of parking space in a nearby commercial garage—potentially better suited in terms of accessibility, supervision and safety than a basement storage unit and achieving the same objective as mandating space within a building.

- *Create a graduated scale to calculate parking requirements for very large commercial developments*

Typical office buildings built within the CBD's in Manhattan, namely Midtown and Lower Manhattan, are on average approximately 2 million square feet. The regulations as written would require over 265 parking spaces for bikes, taking up a substantial amount of space on either the ground floor or in already constrained parking garages or unsafe loading docks; this amount of storage would surely remain underused given current bicycling levels. Therefore, we propose a cap on the number parking spaces required for commercial facilities. A graduated scale could meet the goals of the zoning without resulting in extraneous bike parking in large developments. The scale could be reevaluated regularly and amended if logical (see final bullet point).

- *Expand waiver provisions and simplify waiver process*

Current regulations provide for only a narrow definition of reasons for a waiver, restricted primarily to “site planning constraints”. These allowable reasons should be expanded to include populations of buildings such as not for profit residences for the elderly or special needs housing. Allowing for the staff of such buildings, the required bike spaces could be reduced to 12.5% of the units.

Also notably, if a cellar is not built due to existing ground conditions, i.e. rock water or poor soil, then there will be very little available space with all the cellar uses moved up to the first floor. The bicycle parking requirements should be reduced proportionately.

The proposed regulations (Section 25-82, Section 36-72) provide for an *authorization* to waive provisions, which would trigger a City Environmental Quality Review (CEQR), a lengthy, complex, and expensive process. By permitting a *waiver* by the DOB Commissioner, a simpler and more straightforward process could be put in place.

- *Create a follow-up review provision*

It is very important that follow-up on new zoning provisions be done for this and other modifications to the Zoning Resolution. To achieve this, a five-year review of the provisions should be required. This review would require public hearings and a report by the Department. If problems are found, the Department could propose changes to rectify them. This was required for the Quality Housing program when it was passed.

In summary, AIA New York is very supportive of the objectives of the bicycle parking zoning, appreciative of the hard work of City Planning, and willing to work with the Department to further assist in refinement of this important initiative.

Thank you for considering our suggestions as part of the public review process, and we look forward to continuing to work with you towards a more bicycle-friendly New York City.

Sincerely yours,



Sherida Paulsen
President



Rick Bell
Executive Director