

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2023**

No. 172

Introduced by Council Members Farías, Gutiérrez, Louis, Restler, Hanif, Avilés, Won, Nurse, Ayala, Dinowitz, Velázquez, Brannan, Schulman, Hudson, Salamanca, De La Rosa, Abreu, Riley, Holden, Feliz, Gennaro, Rivera, Borelli and Carr.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to an industrial development strategic plan

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-120 to read as follows:

§ 25-120 Industrial development strategic plan. a. Definitions. For purposes of this section:

Contracted entity. The term “contracted entity” has the same meaning set forth in section 22-821.

Departments. The term “departments” means the department of city planning and the department of small business services.

Disadvantaged community. The term “disadvantaged community” means a disadvantaged community identified pursuant to section 75-0111 of the environmental conservation law.

Emerging business enterprise. The term “emerging business enterprise” means a business certified as an emerging business enterprise in accordance with section 1304 of the charter.

Industrial business zone. The term “industrial business zone” means an industrial business zone designated pursuant to section 22-626.

Industrial sector. The term “industrial sector” means a segment of the economy that includes manufacturing, wholesale trade, transportation and warehousing, utilities, construction, production of information and media production, repair and maintenance, clean energy, and waste management and remediation services.

Minority-owned business enterprise. The term “minority-owned business enterprise” means a business certified as a minority-owned business enterprise in accordance with section 1304 of the charter.

Primary industrial area. The term “primary industrial area” means an area of an industrial business zone that is for predominantly industrial use, with large lots and access to designated truck routes, freight rail, or maritime freight capacity, supporting the preservation and growth essential industrial businesses and city infrastructure.

Strategic planning area: The term “strategic planning area” means an area comprising each of the following boroughs or groups of community districts: borough of Manhattan; Bronx community districts 1 and 2; Bronx community districts 3 through 8; Bronx community districts 9 through 12; Queens community districts 1 through 6; queens community districts 7 through 14; Brooklyn community districts 1, 2, 3 4, 8, 9; Brooklyn community districts 5, 14, 15, 16, 17, 18; Brooklyn community districts 6, 7, 10, 11, 12, 13; and borough of Staten Island.

Sustainable infrastructure. The term “sustainable infrastructure” means equipment or systems that prioritize economic or environmental sustainability and climate resiliency, including but not limited to clean energy infrastructure, flood resiliency infrastructure, or stormwater infrastructure.

Women-owned business enterprise. The term “women-owned business enterprise” means a business certified as a women-owned business enterprise in accordance with section 1304 of the charter.

b. No later than December 31, 2025, and no later than December 31 of every eighth year thereafter, the departments and a contracted entity, in consultation with the department of citywide administrative services, the department of transportation, the office of long-term planning and sustainability, and any other agency as determined by the departments and a contracted entity, shall submit to the mayor and speaker of the council and make publicly available on the city’s website, an industrial development strategic plan. Such plan shall include but need not be limited to:

1. A policy statement regarding the role of the industrial sector in achieving citywide objectives related to energy policy and greenhouse gas emissions; transportation and freight policy including improving supply chain resilience and reducing citywide truck traffic and its impacts on disadvantaged communities; siting of city operations or services; workforce development policies; and any related analysis of citywide industrial sector data, economic trends, and growth opportunities and challenges;

2. An overview of policies to support and grow the industrial sector, including but not limited to as-of-right and discretionary city and state financial incentives; city workforce development initiatives; city land use policies; major city capital investments; and any city policies relating to the impacts of growth of the industrial sector on disadvantaged communities;

3. For each designated industrial business zone:

(a) Economic and land use data for the prior twenty years to the extent practicable, including where available and accessible:

(1) Employment data including but not limited to department of labor quarterly census data on employment and wages data on the number of businesses and jobs in such zone disaggregated by sector and subsector, and workforce demographics for such zone including race, ethnicity, and country of origin;

(2) Real estate data including average sale and rent prices per square foot for industrial and commercial properties in such zone;

(3) Land use data at the tax lot level; and

(4) Data on as-of-right and discretionary New York city and New York state tax credits or other financial incentives administered for businesses in the industrial sector located in such zone.

(b) An identification of city-owned and city-leased property in such zone.

4. For each strategic planning area:

(a) Strategies for the use of city-owned and city-leased property within industrial business zones for the overall strategic planning area;

(b) A local business assessment in consultation with local industrial stakeholders including but not limited to non-profits that provide business services within industrial business zones, including a survey of businesses within the area to better understand local business conditions and needs;

(c) A summary of environmental conditions in the area, any effects of such conditions on industrial businesses, and any implications for citywide policy on environmental justice and climate resiliency; and

(d) An assessment of access to existing infrastructure, such as freight rail, truck routes, and maritime access, that is supporting or could support manufacturing and industrial activities.

5. *An identification and description of recommended goals and strategies to support economic development and expand and retain businesses in the industrial sector, including but not limited to:*

(a) Recommendations for improving or establishing new financial incentives available to businesses in the industrial sector;

(b) Recommendations relating to workforce development programs and policies, including educational and local hiring programming, and policies for increasing the participation of local business enterprises, minority- and women-owned business enterprises, and emerging business enterprises in the industrial sector; and

(c) For each strategic planning area;

(1) An identification of economic development goals including but not limited to priority industries and subsectors for growth in such area;

(2) An identification of primary industrial areas and potential land use policy objectives;

(3) An identification of potential capital investments, including for sustainable infrastructure and for development of city-owned or city-leased property within such area.

c. No later than July 1 of any year the industrial development strategic plan is required to be submitted pursuant to subdivision b, the departments and a contracted entity shall submit to the mayor and speaker of the council and make publicly available on the city's website a draft industrial development strategic plan. Following submission and posting online of such draft industrial strategic plan, the departments and a contracted entity shall hold no less than one public hearing in each borough to solicit public comment prior to submission of the industrial development strategic plan.

d. No later than December 31, 2027, and no later than December 31 every 2 years thereafter, other than any such year in which an industrial development strategic plan is required to be submitted pursuant to subdivision b, the departments and a contracted entity shall submit to the mayor and speaker of the city council a progress report on the industrial development strategic plan. Such report shall include, at a minimum

(a) any status update of the recommended goals and strategies identified in paragraph 5 of subdivision b of this section; and

(b) any revisions or updates to policies, programs or actions in the previous industrial development strategic plan, including the reason for such revisions or updates.

§2. This local law takes effect 90 days after it becomes law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on November 15, 2023 and returned unsigned by the Mayor on December 18, 2023.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 172 of 2023, Council Int. No. 1012-A of 2023) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

SPENCER FISHER, Acting Corporation Counsel.