



FOR IMMEDIATE RELEASE:

September 7, 2022

Coalition Proposes NYC Zoning Text Change to Regulate Last-Mile Trucking Facilities in New York City

Advocates call on Department of City Planning to manage the explosive growth of last-mile trucking facilities, concentrated in low-income communities of color, and the resulting pollution, congestion, unsafe streets

New York, NY — Today, the Last-Mile Coalition, a city-wide coalition of environmental justice and public health advocates, called on the New York City Department of City Planning (DCP) to adopt a proposed Zoning Resolution Text Amendment to mitigate the explosive growth, disproportionately concentrated in already overburdened low-income communities of color, of last-mile trucking facilities – warehouses where packages are sorted and sent out for distribution – and the resulting air pollution, traffic congestion and unsafe streets.

On average, 2.3 million packages are delivered to New York City residents every day, up from only 1.8 million pre-pandemic, according to the Rensselaer Polytechnic Institute’s Center of Excellence for Sustainable Urban Freight Systems. Along with the explosive growth of e-commerce in recent years has come explosive growth in last-mile trucking facilities. These facilities are much larger than traditional warehouses and are associated with far greater diesel truck and delivery van traffic as well as the associated health, safety and quality of life impacts. The Last-Mile Coalition is calling for new regulation to ensure these last-mile trucking facilities are “good neighbors” for the surrounding communities.

Currently, last-mile trucking facilities do not undergo any public review process or environmental review. Because last-mile trucking facilities are not defined under zoning law, the New York City DCP treats them as “warehouses” that can be constructed “as-of-right” in manufacturing districts and C8 commercial districts. This has resulted in the disproportionate placement and concentration of these trucking facilities in communities of color and low-income communities, which has led to increases in truck traffic and emissions in these neighborhoods.

The Last-Mile Coalition is urging New York City DCP to amend the text of the Zoning Resolution for last-mile trucking facilities so that they undergo a review process, creating opportunities for the City to

evaluate adverse impacts, while also providing ample opportunities for affected communities to provide public comments. In addition, the Zoning Resolution Text Amendment would define last-mile trucking facilities based on size and the use of the facility.

The amendment would require last-mile trucking facility developers to seek a special permit from the City Planning Commission, which would require developers to show the facility's impact on traffic congestion, potential air pollution in surrounding disadvantaged communities, compliance with waterfront district zoning requirements and efforts to reduce greenhouse gas emissions in furtherance of New York State's Climate Leadership and Community Protection Act targets. The amendment will also prevent the clustering of last-mile facilities in frontline, disadvantaged communities and encourage facilities to use renewable energy sources for onsite and operation activities.

"The speed at which last-mile facilities are taking over industrial land in working-class communities of color is alarming. Our zoning code is outdated and does not take into account that harmful impacts of e-commerce will become concentrated in environmental justice communities, absent any action. This zoning text amendment submitted by this coalition of environmental justice organizations tackles the issue with the urgency and seriousness it demands. I urge DCP and the city administration to engage with the proposal swiftly," said **Assemblymember Marcela Mitaynes**.

"E-commerce facilities are being built across the city in communities of color with no input from community members. These facilities have a significant impact on air quality, on truck traffic, and on road safety. Allowing these facilities to invade our communities of color with no public input, derails our vision for implementing a Just Transition. This Zoning Text Amendment allows communities to have input on where e-commerce facilities are located and how they will contribute to our vision of a green industrial economy. Industrial space in our communities is valuable. We deserve the right to make sure future development supports a just climate future," said **Elizabeth Yeampierre, Executive Director of UPROSE**.

"The expansion of last-mile facilities across New York City has resulted in increased traffic, particularly high-emitting transportation vehicles, noise, and pedestrian safety concerns. As a result, historic environmental justice communities continue to be overburdened with high levels of congestion and several social and environmental injustices. We affirm and reiterate the right to safe and just environments where we live, work, and play. Thus we call on the Department of City Planning to issue zoning amendments to regulate these facilities before our communities suffer further, in their proximity. We can no longer accept the disregard, exploitation and dehumanization of our peoples in the name of profit. We are at the crossroads of ensuring just safeguards for disadvantaged and marginalized communities of New York City," said **Rami Dinnawi, Environmental Justice Coordinator for Green Light District at El Puente**.

"The rapid growth of last-mile deliveries in recent decades, especially during the pandemic, has substantially increased the volume and frequency of diesel-burning truck congestion in NYC. In turn,

this has resulted in an explosion of last-mile trucking facilities concentrated in environmental justice communities. These are the same communities that have suffered from long-term exposure to toxic pollution due to decades of environmental racism and disinvestment,” said **Kevin Garcia, Transportation Planner for the New York City Environmental Justice Alliance**. “This zoning text amendment will not only allow the City to plan accordingly for these facilities but also provide the public, especially environmental justice communities, assurances to prevent the clustering of these facilities and deliver mitigation efforts to reduce traffic congestion and emissions.”

"As e-commerce warehouses proliferate, with outsized truck traffic and air quality impacts primarily affecting already overburdened communities, local and state planning bodies around the country are realizing the urgent need to regulate their siting and impacts,” said **Rachel Spector, Senior Attorney at Earthjustice**. “New York City must do the same before last-mile warehouses become entrenched in the same communities of color that have historically borne the burdens of truck-intensive and other polluting facilities. Earthjustice is proud to support the community groups filing this application, which urges the City to place conditions on last mile warehouse development in keeping with its equitable development and climate goals."

"The growth of last-mile facilities in our district has exploded since the start of the pandemic," said **Alexa Avilés**. “Left unchecked, this industry will result in a heavy increase in truck traffic and congestion in the streets of Red Hook and Sunset Park. Without proactive regulation, last-mile will choke out other forms of business in our industrial zones and what little clean air we have left to breathe. The message from our communities is clear, we demand immediate action and solutions from our City agencies and all levels of government to address the rapid growth and concentration of last-mile facilities in low-income, environmental justice communities. I am proud to join in the submission of this zoning text amendment application and thank the hard work of advocates who have been on the forefront of this issue for years."

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The Last-Mile Coalition is a city-wide coalition of environmental justice and public health advocates fighting to regulate last-mile trucking facilities in New York City. The Last-Mile Coalition members include The Point Community Development Corporation, El Puente, NYC-Environmental Justice Alliance (NYC-EJA), UPROSE, Red Hook Initiative, New York Lawyers for the Public Interest (NYLPI), and Earthjustice.

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