



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

OFFICE OF THE DIRECTOR

DCP Testimony on Intro 2186

February 23, 2021

Good morning, Chairs Cabrera, Rosenthal and Salamanca, and members of the Committees. I am Marisa Lago, Director of the Department of City Planning and Chair of the City Planning Commission. Thank you for the opportunity to testify at this hearing on Intro 2186, requiring a comprehensive long-term plan.

I am pleased to have the opportunity to testify this morning on the subject of sound land use planning – a subject that we agree is of great importance to the city’s future.

It is critical to have a healthy discussion about how New York City’s planning process, including the Uniform Land Use Review Procedure, can be made more effective in meeting the needs of the city, and how to do so more equitably.

We agree strongly with the importance of providing sound data and analysis to guide decisions. DCP’s initiatives under Where We Live NYC, the City’s plan to advance Fair Housing, include

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increasing the already considerable data and analysis that we make available to the public about community conditions, and changes in housing and neighborhoods across our city.

We also agree that a main purpose of planning is to support **action** to promote equitable growth. Our neighborhood initiatives in SoHo/NoHo and Gowanus address the urgency, highlighted in *Where We Live*, of creating more mixed-income housing in high-opportunity neighborhoods – an absolutely vital need before and especially since COVID-19 struck.

While it is encouraging to hear discussion of the importance of meeting the city’s needs for equitable growth, we oppose this bill because of concerns about its feasibility, its costs, and its ultimate impact.

We do not believe that it is feasible to achieve all of this bill’s goals through a single one-size-fits-all process, not without glossing over key priorities or shortchanging community input. To attempt to do so would cost an incredible amount of money. We estimate that the environmental review alone would cost on the order of half a billion dollars, with significant increases in staffing needed on top of that.

And we are concerned that the ultimate impact of that time and money would be counter to our shared goals—that it would make it more difficult, not easier, to build affordable housing or site essential City facilities if these priority projects were subjected to an additional layer

of bureaucracy. The practical effect of the bill would be to reinforce the political incentives to inaction that exist today and that drive exclusionary and inequitable outcomes.

Feasibility

The bill provides just nine and a half months for the central planning office to create 177 distinct land use plans – three options for each of the City’s 59 Community Districts. Each would contain a level of detail comparable to that of an individual neighborhood rezoning, which is typically created over years and involves scores of community meetings. These three scenarios would then be presented to Community Boards, which would then have to pick one as a recommended option to submit to the Council. It would be impossible for this type of top-down planning to achieve quality or equity, or be responsive to community input.

The bill also underestimates the importance of focused, topic-specific planning efforts – such as those for the waterfront, greenhouse gas emissions reduction, environmental justice, food policy, or resiliency. By trying to roll planning for all issues into a single, concurrent process and document, the bill would muffle the voices and priorities of important constituencies who help shape planning for each of these issues, and dilute the ability to address each issue thoughtfully and equitably. Recent, more focused planning efforts have allowed us to address significant issues, as we have with the Zoning for Coastal Resiliency proposal that is currently in ULURP, following years of community engagement.

The cornerstone of citywide strategic planning efforts today is the quadrennial long-term plan required by Local Law 84 of 2013, most recently known as OneNYC 2050. This citywide long-term planning effort identifies key challenges facing NYC and strategic priorities to meet those challenges. The plan acts as a framework to mobilize City government to advance critical and timely priorities.

Since 2007, when this planning process began in partnership with the Council, it has been the basis for adopting ambitious greenhouse gas emission reduction strategies, promoting transit-oriented growth, preparing for the risks of climate change, embedding environmental justice into the City's decision-making, and setting the first-ever poverty reduction targets. Annual reports measure progress towards goals and serve as a public accountability tool. We believe that OneNYC serves as a better model for strengthening our planning efforts than this bill.

Cost:

We are concerned about the extraordinary cost of the bill.

The most expensive component by far is the requirement for a Generic Environmental Impact Statement (GEIS) to accompany the 177 land use scenarios. We estimate that the GEIS would cost on the order of **half a billion dollars** of tax levy funding.

This \$500 million figure is not hyperbolic. Rather, it reflects the unprecedented scope and scale that this GEIS would require – covering every inch of the city's 303 square miles, analyzing not

just land use but also transportation, infrastructure, public facilities and more, and analyzing the countless combinations of land use scenarios that could be adopted across 59 Community Districts. It would be the largest EIS on record, by a long margin.

What is more, the benefits of this GEIS would be limited, not meaningfully reducing the burden of review required under State environmental regulations for subsequent land use actions.

The enormous environmental review would also open up countless opportunities for litigation, which would delay not only the plan, but also the implementation of all actual projects that it might envision.

In addition to the cost of the GEIS, the proposed planning process would be extremely expensive – at a time when the City is still under a financial crunch and hiring freeze. These costs would include staffing new offices and a second 13-member commission for planning.

Impact:

While we recognize that the intention is to promote equitable growth and proactive planning, in practice the results would be the opposite. This bill would create – rather than remove – bureaucratic obstacles to projects that address pressing needs. It would increase – rather than decrease – the ability of affluent communities to reject projects that have broader benefits for the city.

We do not believe that the bill would make it easier to accomplish important land use actions. For a start, the plan would be non-binding. The bill suggests that Council Members would often decline to “call up” actions determined by the City Planning Commission to be aligned with the plan. This is implausible. ULURP actions provide a useful forum to air and negotiate key project details, including maximum permitted densities and building heights, as well as aspects of the project that are not directly part of the land use approvals. Council members today call up essentially every optional item, and can be expected to continue to do so. This means that the bill would effectively add an additional veto point.

The process of creating the plan itself would reinforce, rather than dismantle, inequities in the land use process. The bill would give the Council final authority to set district-level targets for housing, jobs, public facilities, and more. For instance, when it votes on the plan, the Council would have the ability to change the Community District-level targets to include more school seats and less housing, or eliminate a proposed sanitation garage. This flies in the face of a data-driven planning process, and further empowers already-powerful communities with the resources to resist new housing or facilities needed to create an equitable city.

A planning process that takes four years – an optimistic estimate – would divert the attention and capacity of numerous City agencies away from their important public services. There would also be significant pressure not to advance any large proposal until the plan has been adopted.

There would never be a good time for New York City to take a hiatus of four years or more from important land use actions, but the need to recover from the COVID-19 pandemic and economic shock makes this a uniquely inopportune time to do so.

By putting too much emphasis on a single all-encompassing process, this bill would limit our ability to respond nimbly to a changing landscape. When events such as 9/11, Superstorm Sandy, or the pandemic occur, we need to be able to learn, adapt, and take appropriate action promptly – not wait until the next major comprehensive plan revision. Imagine if we had set quantitative Community District-level targets for retail space in 2018. They would be of little use today.

We appreciate the intention of the bill. But we do not think it is the right approach for New York City. Our sheer scale makes it hard to compare this bill with other cities' comprehensive planning efforts. Minneapolis and Seattle are often cited as models. Minneapolis has fewer residents than Staten Island, but their comprehensive plan still took three years to create. Even Seattle has only half the population of the Bronx. Both cities are much less complex than ours, being comprised largely of suburban-scaled neighborhoods.

The legal structure in which these other cities operate also differs meaningfully. Both of these cities are mandated to meet growth targets established by state or regional authorities, which are empowered to override their City Council's land use authority if these growth targets aren't met. **In New York City, there is no similar authority, nor does the Council propose one.**

The bill would contain none of the checks or limitations on the legislature's authority that exist in other cities to ensure that a citywide planning system addresses exclusionary practices. It would add a new, huge and costly process, but without altering the fundamental dynamics of land use decisions.

We continue to share an interest in working with the Council to identify ways to improve the planning process. But the process must be one that helps us address the key challenges before us, and not divert us from them.

We need to provide safe housing for all of our residents; we need enough housing for all income levels, ages, household types, and lifestyles. People who grew up here should be able to stay and raise their kids, watch them move into a place of their own, and have a comfortable place to grow old – all while we continue to welcome and support people from around the country and the globe.

We need to support the recovery and growth of our economy, the availability of good jobs for all workers, the vibrancy of our diverse neighborhoods, and the vitality of the commercial centers that power our region's economy, as well as our local and State budgets.

We need to address the challenges that face us today while preparing for what comes next, whether expected or unexpected – the needs of a zero-carbon future, the implications of rising sea levels, the reality of post-pandemic life, and abrupt shifts in the economic environment.

The roles and authority for planning and land use decision making set forth in the Charter are an important foundation for our city's growth and development. Considering changes to them is a worthy topic, but it is a weighty matter that requires significant deliberation. We look forward to further discussions with the Council and a range of stakeholders about how these processes can be improved.

Thank you. I welcome your questions.

I am also joined by Anita Laremont, Executive Director; Susan Amron, General Counsel; Jon Kaufman, Chief Operating Officer; and Howard Slatkin, Deputy Executive Director for Strategic Planning from the Department of City Planning; colleagues from OMB, Deputy Director Tara Boirard and Associate Director Paul Tymus; and Chief Climate Policy Advisor and OneNYC Director Daniel Zarrilli.



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Re: Intro 2186-2020 Comprehensive Long Term Plan.

Queens Community Board3 is opposed to Intro 2186-2020.

The proposed legislation needs further development that involves all stakeholders.

- If the intent is to widen the discussion to include groups such as minorities and others who traditionally are left out of land use discussions, the proposed top-down model severely misses the mark. This hierarchy strategy does nothing to increase neighborhood power or democratize land use. It allows mayoral appointees to make broad land use decisions in neighborhoods citywide.
- Modifications to the charter is too important to be rushed through. Input from all parties involved must be sought and a thorough review of the proposal is essential before it can be seriously considered.

We thank City Council for the opportunity to comment on this important introductory legislation to amend the City Charter as it relates to land use/zoning processes and Comprehensive Long Term Plan.

Renetta English
Chair
Queens Community Board 3



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Donovan Richards
Queens Borough President

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Chairperson

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District Manager

February 22, 2021

Dear Mayor de Blasio and Members of the City Council,

Int. 2186 – Comprehensive Citywide Planning

On behalf of the greater welfare of the district and residents of Queens Community Board 4, the proposed legislation of the Planning Together plan by Speaker Corey Johnson should not be accepted into the NYC Charter. This plan as proposed is catastrophic to the very essence of the democratic process regarding land use in the City of New York. This plan, if accepted, will change our current ULURP process for the worse, dangerously leaving out the people it is supposed to serve—the community.

Since Community Board 4Q was not made aware of this plan and it was not brought to our attention by the proper agency and/or elected officials, instead, we have heard news from other Community Boards about this plan. By not including Community Boards in this process or discussion, we are very concerned about the transparency for the real reason this legislation is being pushed silently, this in itself is reason enough to be alarmed. Community Board 4's staff, District Manager, Chairperson, and ULURP Chair have instead had to do their own research regarding this plan. We have found it would have negative impacts for our district and for communities' city wide. Currently, Queens Community Board 4 has been experiencing over-development for over 25 years severely hurting our schools, infrastructure, and quality of life. We simply cannot sustain our quality of life or livability with this increased growth and according to the plan, the idea is for increased growth in every Community Board. For over 25 years, we have been advocating for contextual rezoning and instead this plan is going against the wishes of our constituents and one of our budget items.

This plan will implement a top down authoritarian ULURP process that starts with the Mayor and this ultimately will leave out the Community Boards and grassroots efforts from ever being heard or considered. Depending on who the Mayor is at the time, this plan can in fact resurrect a time when someone such as Robert Moses was in power and communities had no say in planning. This resulted in damaging effects such as mass eradication and displacement of immigrant and ethnic communities at the time of his power trip. If we look back at the history of New York City and the current trend now of people still being displaced by development pressures, this plan is not the solution and instead takes us back instead of moving us forward for a better livable future. Community Board 4 is historically an immigrant community, both Elmhurst and Corona reflect this historically and presently. Allowing this plan to succeed would be a complete failure to our constituents. We must plan with communities and hear their needs, complaints in order to improve the livability and quality of life instead of taking away their voices.

The City of New York would benefit from comprehensive planning that works directly with the communities' desires, needs and, most importantly, participation to ensure quality of life issues are met and that we are a livable city that serves its residents.

We respectfully ask that you take our district's concerns along with citywide concerns and vote NO on Intro. 2186.

Sincerely yours,
COMMUNITY BOARD NO. 4

Marialena Giampino

Marialena Giampino
Chairperson of the Board



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Testimony for Int2186-2020:

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PRAMEET KUMAR
VICE-CHAIR · LAND USE

DAVID SCHNEIER
VICE-CHAIR · SCOPING

Queens Community Board 6 has many concerns about Intro 2186. Primarily, we are flummoxed as to why this bill is being rushed through the NYC Council without presentations to or input from Community Boards. At a local, district level, our community is dealing with urgent COVID-related issues like hunger, unemployment, COVID infection, vaccine access and isolation not to mention ongoing concerns around education, infrastructure, transportation and more. Our neighborhoods, district, borough and city require big ideas to extricate us from our current situation and take us into a successful and equitable future.

We acknowledge the systemic issues and bureaucracy which bog-down the city's land use planning process and we applaud the brainstorming and long-term visioning which went into this bill. We are not submitting testimony to take a position on this bill since without providing Community Boards with the opportunity to adequately review this complex proposal, it is difficult to determine the impact it will have upon the local planning process or even whether it will promote or undermine the ability of Community Boards to effectively represent the legitimate interests of their respective communities.

Therefore, Queens Community Board 6 is not taking a stance on Int 2186. However, we would like to state on the record that we strongly oppose the process of this bill, including the lack of transparency and underutilization of community input. We believe any comprehensive planning legislation would be made infinitely stronger with feedback and suggestions from Community Boards, community members and community stakeholders.

Thank you,

Alexa Weitzman, Chair
*On behalf of the
CB 6 Executive Committee*

Frank Gulluscio, District Manager



Donovan Richards, Jr.
Queens Borough President

Community Board 7

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Eugene T. Kelty Jr.

Chairperson

Marilyn McAndrews

District Manager

February 17, 2021

Corey Johnson
Speaker NYC Council
City Hall
New York NY 10007
Dear Speaker Johnson,

We completely oppose “Planning Together – A New Comprehensive Planning Framework for NYC”.

We expect NYC Government and Planning to provide our neighborhood communities increased input and protection against overdevelopment, and support for prudent development and growth - your Plan has neither.

Throughout the Bloomberg Administration, Community Board 7Q along with many other Community Boards throughout the City had numerous contextual re-zonings in response to our concerns to preserve the character of all our neighborhoods, but while still allowing for prudent growth. We worked tirelessly to preserve our neighborhoods from being poached by developers, and we won't allow government to poach us instead.

During this time, we also up-zoned the blighted 62-acres of Willets Point to C4-4 commercial, we embraced the new 30-acre Police Academy in College Point, and we up-zoned our 5-acre municipal parking lot in Downtown Flushing to C4-4 to allow for the Flushing Commons Development.

To this day, we remain mindful to allow for prudent growth as witnessed in our recent overwhelming support for the Special Flushing Waterfront District, which will transform and beautify the Downtown Flushing waterfront.

Your comments about eliminating single family zoning under the premise it represents the “majority-white-middle income communities” in “whiter wealthier neighborhoods” is simply racist and divisive and these words have no place in government. Furthermore, the actions you seek in your plan circumvent due process and violate the laws of our NYC Charter.

We are proud of our varied and multi-cultural Community Board. Our neighborhoods are ethnically composed of Chinese, Korean, Hispanic, African American, Middle Eastern, Southeast Asian, German, Irish, Greek, Italian, Armenian residents and others in our low-density single family and two-family homes are diversely comprised with people of color.

We implore our Council Members to oppose your divisive and non-inclusive plan.

Sincerely,

Eugene T. Kelty, Jr.

cc: NYC Council Member Paul Vallone
NYC Council Member Peter Koo
NYC Council Member Francisco Moya
NYC Council Member Jim Genaro
NYC Council Members
Queens Borough President Donovan Richards
NYS Senator John Liu
NYS Senator Toby Stavisky
NYS Senator Jessica Ramos
NYS Assembly Member David Weprin
NYS Assembly Member Nily Rozic
NYS Assembly Members Edward Braunstein
NYS Assembly Member Daniel Rosenthal
NYS Assembly Member Ron Kim
U.S. Representative Grace Meng
U.S. Representative Tom Suozzi
U.S. Representative Alexandria Ocasio-Cortez

Testimony on Comprehensive City Plan—Hearing on February 23, 2021

My name is Alida Camp. I am a member of CB8, but am testifying individually. When the two Charter Review Commissions met, I served as Chair of CB8. For both Commissions, CB8 supported the concept of a Comprehensive City Plan.

While a Comprehensive City Plan “(Plan”) is vital for the success of New York City, Community Boards must be involved in more than a commentary capacity and more than twice in each planning cycle . Community Boards, representing the diversity and views of each of our communities, best know what each community needs and wants.

As Borough President appointees, we are not an echo chamber for the administration. Nor are we political. Rather community boards are mandated to remain apolitical. Therefore, we are in a unique position to contribute to the City Plan’s concepts and implementation.

Community Boards are able to provide an independent voice, one that is connected to the community, both residential and business in its District. Thus, in a City with a mayoral overview of the entire City, the 59 Boards provide a close-up perspective, one that understands the nuances, the nooks and crannies of the neighborhoods.

The Mayor’s voice needs a counterpart. No opera is complete with only a tenor or only a soprano. In the same way, Boards, as Borough President appointees, present a different, but necessary, view, essential to the harmony of a thriving urban landscape.

Community Boards, as mandated by the City Charter, are an integral part of New York City government. We hear from the public at every monthly meeting about issues that matter to them, issues such as transportation, education, and green space needs that must be reflected in a comprehensive plan. Similarly, we hear about needs for zoning changes or enforcement, housing concerns, and community preservation. The intangibles that matter to communities must be included in any Comprehensive Plan discussion, and should find their way into a plan as it pertains to a neighborhood.

The time has come for a Comprehensive City Plan to ensure that the City’s needs are met, and that a better future for all New Yorkers is attained. However, that Plan must be both bottom-up and top down. As the most local City agency, Community Boards know best what matters to the residents and businesses in their Districts.

We need a Comprehensive City Plan. We need to see where infrastructure is needed, where hospitals are needed, where schools, parks and recreational facilities are needed, and importantly, how and where to provide the affordable housing necessary for a successful City. The words “affordable housing” have become the key to the kingdom. Provide affordable housing, no matter the temporary timeframe, the inadequate AMI definition, the ample

amount of market rate housing bought by the promise of “affordable housing,” and you’re in like Flynn. However, a plan that is truly a view of what is necessary and desirable, what makes the City fair, what suits all residents is what’s required. Piecemeal planning, governed by the very changeable zoning resolution, is not sufficient.

This Plan consolidates power to make land use decisions in the Mayor. The details must be evaluated in light of the increase in land use planning prerogatives granted to the Mayor. This would not be the right path for the City. Not only is the Mayor rarely an expert in land use, but he/she, as has happened in the past, may be beholden to those special interest groups that would benefit from a more lenient land use planning process. This is an opportunity to reimagine New York for a stronger future. The right plan would make New York a fairer, safer, right-sized, more inclusive, City.

This plan has significant issues that will, I understand, be examined by CB8 Committees. In the meantime, those concerns merit comment, brief as these comments are.

This Plan provides for a short-cutting of the ULURP process by allowing plans that conform to a generic vision embodied in the Plan to need no additional accountability or approval. This is wrong. ULURP, as imperfect as it is, reflects a process that is deliberate, multi-stepped, and detailed. How could one measure of acceptability, e.g., conformity to the Plan’s standard, be adequate for a living City. The measures that make up the ULURP process allow for analysis in light of what the District is experiencing. It allows for accountability. We have seen the efforts to overturn Zoning Resolution provisions. ULURP provides a remedy for those efforts. Without ULURP, there will always be interpretation of whether something conforms to the Plan’s requirements. Who will decide whether a builder’s interpretation is correct.

The Plan’s emphasis is on growth. Yet, the intangibles of New York make it vital. For example, landmarks and historic districts appeal to visitors, residents and businesses, providing a connection to our colorful history and notable architecture. Community gardens provide the respite of nature, an eye on the street, and reinforcement of community. These require a firm place in any Plan.

Many communities are reeling from changes made without their input. At the same time, New York is made up of many communities who merit input into any decision-making that affects them. A plan that disenfranchises communities by discarding their voice will not build a better City. Neither communities nor the Administration has all the answers, or even knows all of the questions to ask. But, together they are formidable.

Any comparison with other cities is misplaced. Without a direct comparison of statistics, including affordable housing, populations and every other marker, how can any City be compared. Furthermore, if they were suitable to compare, there are other lessons those jurisdictions offer.

There are questions about the details that will make a difference between success and failure of the Plan, such as the selection of the Steering Committee members, whether they are re-appointable, or appointed by a new Mayor with a new agenda. This issue highlights another reason that community input is vital. Top-down planning may be planning based on the Administration's agenda (possibly inclusive of special interests), but what we need is an approach that will be valid in 20, 30 or 50 years. That comes from seeing how the City is experienced by each of its 59 communities, as defined by Community Boards. Observing from ground level, rather than from the Mayor's altitude, enables a dissection of what works and what doesn't, what we should think about for the future, what is important to each community. Community Boards are diverse, representing the make-up of the Community. Appointed, rather than elected, members are not beholden to anyone. We have lived in neighborhoods, often for decades, yet other members are as young as high school juniors. The diversity of perspective and experience of Community Boards makes them invaluable to a planning process, as long as the Boards' voices count.

Let's remember that what New York a world capital, a magnet for creativity, is its diversity, its neighborhoods, its distinct mom and pops, the sense that if one were dropped onto a street corner, one could determine location by what was nearby. That flavor, those delights and surprises must be maintained. To eliminate the individual Community voices in favor of a voice from the top is to cede the individual characteristics of our neighborhoods, and to lose the very thing that makes New York desirable.

What we need to effect positive change in New York's land use is a better plan than this.

What begins a better plan is the inclusion of Community Boards.



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Laura Spalter, Chairperson

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New York City Council

Joint Hearing held February 23, 2021

Committees on Governmental Operations, Committee on Land Use, Subcommittee on Capital Budget

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February 24, 2021

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Re: Intro 2186 – 20 to Amend the NYC Charter, in relation to Requiring a Comprehensive Long-Term Plan

Dear Chairpersons Cabrera, Salamanca, and Rosenthal:

As Chair of Bronx Community Board 8 the issues concerning land use, planning, and zoning are paramount to our board. It is disturbing that our board just learned of Intro 2186 last week. Consequently, our committees, which meet monthly, have not had any time to consider these changes, proposals and impacts in a thoughtful way prior to the hearing held on February 23rd.

We have learned that the proposed legislation is based on a report entitled *Planning Together: A New Comprehensive Planning Framework for New Your City* issued by Speaker Corey Johnson on December 16th. The timeline from report to legislative action (which begins next year) has clearly been rushed without adequate notice to community boards, elected officials or the public. This is unacceptable.

It is critical that community boards, which play an important role in the process and framework proposed in this bill be afforded ample time to study and comment on Intro 2186. This process must be slowed down in order that we may submit appropriate feedback to the City Council. Thank you for this opportunity to comment.

Sincerely yours,


Laura Spalter
Chair
Bronx Community Board 8

Russell Squire
Chair

Will Brightbill
District Manager



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The City of New York
Community Board 8 Manhattan

Testimony of Community Board 8 Manhattan Chair Russell Squire
Regarding Introduction 2186 “Planning Together”
Before the New York City Council Committee on Governmental Operations
February 26, 2021

My name is Russell Squire, and I am the Chair of Community Board 8 Manhattan (which I’ll refer to as CB8). I want to thank the many Councilmembers who have spoken forcefully in defense of Community Boards and our role. As you know, community boards provide essential local input into many city government decisions. Perhaps nowhere is this input more important than in the realm of zoning and land use.

CB8 will be giving the Planning Together proposal a thorough and comprehensive review in the coming weeks, and I expect that we will have a number of detailed comments and recommendations in connection with that process. For now, I have three points I would like to make.

First, for Planning Together to be successful, it must incorporate the input and ideas of the New Yorkers whom it will affect. You, the City Council, need to listen to the views of community boards, neighborhood groups, and residents in the course of shaping this legislation into whatever the final product will be. It is encouraging that you are holding this hearing to hear from the public, but this hearing will not be enough. The Planning Together proposal is broad and multi-faceted, and it is essential that New Yorkers be given the opportunity to fully digest it in order to provide feedback and commentary on changes that may be needed. How to develop a city-wide plan is a tremendously consequential decision, and it should be given the time and consideration it takes to get it right. So it is critically important that the Council provide additional opportunities and time for New Yorkers to weigh in and that the Council listen to the views of the community and be open to making changes to the proposal in response to the feedback that is received.

Second, CB8 has called for a comprehensive city plan on multiple occasions—most recently, in connection with the 2019 charter revision process. So it is encouraging that the Council is taking steps to develop such a plan. In the absence of a city-wide plan, local communities and community boards lack predictability and visibility into the city’s decision-making when it comes to certification and other zoning decisions. The current system has led to an ad hoc process and decisions that often make little sense to the neighborhoods and people on the ground and do not appear to serve the needs of communities or the city. That having been said, I want to make it clear that a comprehensive city plan does not have to be top-down city plan. The solution to the problem of an inscrutable black box of city planning decisions is not to make a bigger box. Instead, we emphasize that developing a comprehensive city plan must use a bottom-up approach. Incorporating the knowledge and views of communities in developing the city plan will lead to better outcomes for neighborhoods and residents.

Finally, it is critically important that the city preserve the role of community boards as the principal means by which local neighborhoods are able to contribute to zoning decisions. While we are pleased that the Planning Together proposal enhances the role of community boards in some ways, and it has been encouraging to hear Speaker Johnson’s remarks about the role of community boards, CB8 is nevertheless concerned about the proposal to create Borough Steering Committees. The legislation says that the Borough Steering Committees “shall provide recommendations . . . on the [city-wide steering] committee’s preferred land use planning scenario for each community district.” But providing recommendations on the preferred land use planning scenario for a community district is precisely the job of the community board for that community district.

Unlike community boards, which are appointed from each community district by the borough president and council members who are elected locally, the Borough Steering Committees would be centrally appointed by the centrally appointed city-wide steering committee. Community boards—locally focused, locally sourced in their membership, and locally knowledgeable about their respective community districts—are where the input on local land use decisions in neighborhoods and community districts should come from. And to the extent that a committee is needed to make borough-wide recommendations, Manhattan already has a borough board for that, whose membership is tied and accountable to local neighborhoods because it is made up of community board chairs and Council members, in addition to the Borough President. I strongly urge the City Council to abandon plans for Borough Steering Committees and stay true to its commitment that it does not seek to usurp or undermine the role of local community boards.

In conclusion, CB8 looks forward to working with the Council to provide our feedback on this proposal, both regarding what we think is right and what we think is wrong, and strongly urges the Council to incorporate local feedback. Thank you for giving me the opportunity to testify.

Sincerely,

Russell Squire

Russell Squire
Chair

I am a member of Community Board 9 Brooklyn's land use committee. We cover the neighborhoods of Prospect Lefferts Gardens, Wingate, and South Crown Heights.

I am opposed to the legislation, Intro #2186 that establishes new commissions for long term planning and a requirement for comprehensive planning.

We are indeed dissatisfied with the ULURP process and the outcomes of the ULURP process. However we do not need yet another appointed commission. Quite simply, we need the current structure to listen to the community and the community board. There is no substitute for that. Please stop trying to upzone our low rise, historic community. We do need downzoning and contextual zoning almost everywhere.

We already have a city planning commission and a department of city planning that is required to create annual comprehensive long term plans. Commission members are appointed by the mayor, the borough presidents, and the public advocate. This would be a very similar structure to what is proposed for the long term planning committee, other than the inclusion of members appointed by the speaker of the city council. There is nothing in this legislation that leads us to believe the results would be any different with new commissions. It could well be a new opportunity for more bad plans that we would then have to spend our time fighting, instead of engaging with each other in productive discussions about what we know to be our own needs.



The City of New York

Queens Community Board 11

Serving the Communities of Auburndale, Bayside, Douglaston, Hollis Hills
Little Neck and Oakland Gardens

Michael Budabin **Chairperson** / Joseph Marziliano **District Manager**

February 10, 2021

Corey Johnson
NYC Council Speaker
224 West 30th St, Suite 1206
New York, NY 10001

Re: *Planning Together* Report

Dear Speaker Johnson:

At the February 1, 2021 Queens Community Board 11 meeting the Board examined and discussed the *Planning Together* report which you recently published. Prior to that meeting our office made sure to invite either you or a member of your staff to attend the meeting multiple times to explain this proposal and the potential impact on our community. Unfortunately, you declined to send representation, and so we were left to interpret the materials for ourselves.

Queens Community Board 11 voted overwhelmingly by a margin of 39 in favor, none opposed, and two abstentions to oppose the *Planning Together* report and the accompanying bill "Intro. 2186-2020" for reasons that include, but are not limited to, the following:

- 1) If passed, this bill would remove, not enhance, input from neighborhoods, Community Boards and elected officials in land use decisions.
- 2) Mandatory up-zonings would be required every decade in each Community Board area to increase high-density housing development and create a new housing quota system.
- 3) Due to the tone of the proposal document and examples provided within, the potential elimination of single-family zoning and off-street parking requirements in the entirety of the City of New York.

In addition, we are greatly disappointed in the lack of communication from you and your staff to our Community Boards, the institutions closest to the general public, when this report was released and bill introduced, as its potential impact cannot be overstated.

Sincerely,

Michael Budabin
Chair

Queens Community Board 13

219-41 Jamaica Avenue
Queens Village, NY 11428
718.464.9700
qcb13.org



Donovan Richards
Borough President

Bryan Block
Chair

Maricela Cano
Director of Community Boards

Mark McMillan
District Manager

The Honorable Corey Johnson, Speaker
New York City Council
City Hall
New York, NY 10007

The Honorable Bill de Blasio, Mayor
Office of the Mayor
City Hall
New York, NY 10007

Re: Intro. 2186-2020 and Planning Together Study

February 23, 2021

Dear Speaker Johnson;

Dear Mayor de Blasio;

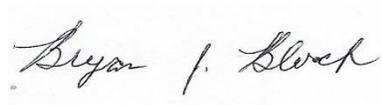
Queens Community Board 13, located on the southeast Queens border with Nassau County, is one of the largest land mass and most diverse districts in the city. Upon serious consideration of the pros and cons of the Planning Together study and related Council Introduction 2186-2020 this board voted **unanimously** to object to this proposal for numerous critical reasons, many outlined in this letter. Our analysis makes clear this scheme must be delayed until it can be vetted thoroughly, gets more community buy-in and input from upcoming city leadership. Most importantly, we object to any form of top-down planning that effectively imposes limits on grassroots community-based efforts.

- **Downplay “Planning Together” Study** – Queens Community Board 13 expresses concern that the Planning Together report makes irrelevant comparisons to other cities, vastly different from New York City. It uses rezoning data during a limited timeframe that skew results not reflecting the diverse zoning actions that were implemented over a broader period. This unduly influences the methodologies, processes and frameworks called for in Int. No. 2186-2020.
- **Limited “Comprehensive Planning”** - Comprehensive Planning should be implemented only by gathering disperse city agency data, synthesized in a common portal with tools to support communities and CBs. Rather than top-down control, planning should start locally in a strong bottom-up process with the new strategic planning office as the last and least influential stop. Where there is consensus among communities, OLTPS's task should be to mesh these plans and coordinate service delivery among city agencies.

- **Do Not Prioritize Growth** - Our district is a minority-majority district listing only 18 percent White in the last census. It is a low-density residential area in transit desert, with over-used and aging infrastructure. The pro-growth planning initiative would strain our infrastructure but offer little benefit to this district. We need quality infrastructure investment, not more population. Thanks to recent zoning actions by City Planning, with the help of outside technical assistance, our district now reflects the needs of our diverse communities, demonstrating the existing system can work well.
- **Rushed Implementation Must Be Delayed** - Introduction 2186-2020 is being rushed through while being minimally vetted. The bill vests extraordinary authority in a single non-elected position while introducing vast technical complexity. The city faces numerous challenges, particularly in light of the pandemic. There are severe budget constraints, declining population, reduced tax revenues, extraordinary COVID expenses and aging infrastructure. A rushed, flawed and resource intensive planning exercise will distract attention from recovery. This is a lame duck year for the mayor, the speaker and many councilmembers. Passage of 2186-2020 would leave a whole new city government with a complex and untested planning process to which they had no input, but full accountability. Wait for a new mayor and council.
- **Community Board Issues** - Understaffed community district offices, which have never received the promised independent planning support, will be overtaxed. Volunteer board members would be overwhelmed with new and difficult tasks. The initiative may allow development meeting the broad, long-term objectives of the plan, but which offers no benefit to the community and without adequate community input. Finally, the proposal offers no real power to community groups or community boards to shape change. Community boards would remain "advisory" with their recommendations easily ignored. Give boards a stronger local say on future plans.

For these reasons and more, **Queens Community Board 13 voted NO on Intro. 2186-2020**. We urge our Council delegation and others to defeat this legislation.

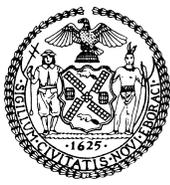
Sincerely,



Bryan J. Block, Board Chair



Richard C. Hellenbrecht, Chair
Land Use Committee



The City of New York

Manhattan Community Board 1

Tammy Meltzer CHAIRPERSON | Lucian Reynolds DISTRICT MANAGER

Int. 2186 (Johnson), A Local Law to amend the New York city charter, in relation to requiring a comprehensive long-term plan

February 19, 2021

Our office has recently learned that the New York City Council Committee on Governmental Operations will hold a hearing on Tuesday, February 23 at 10am on Int. 2186 (Johnson), A Local Law to amend the New York city charter, in relation to requiring a comprehensive long-term plan. CB1 reached out and scheduled a presentation for our February 8, 2021 Land Use, Zoning & Economic Development Committee meeting with Annie Levers, Assistant Deputy Director of the Office of Strategic Initiatives, NYC City Council. The presentation on the proposal was very complex for a single meeting and Manhattan Community Board 1 (CB1) has serious concerns regarding this proposal, how engagement is being conducted and the speed at which approval may be sought. Even after our February meeting, we need further information and follow up which will need to be answered and discussed in time for the Board to adopt a March 2021 resolution.

As we understand, each New York City Community Board is not being individually briefed on this proposal, but rather presentations are conducted by request. This in and of itself gets the proposal off on the wrong foot. If this proposal intends to manifest a real opportunity for community-based, representative planning, it must first be vetted by local communities. At this stage, a hearing is being conducted before most Community Boards have had an opportunity to review this proposal.

Since the conception of the modern land use review process in New York City, communities have been at an inherent disadvantage. ULURP, a process designed to ensure community engagement, has been reduced to a process by which Community Boards have a very brief window to comment on near-finalized projects, and which rarely inspires real change. Many concerns have been raised that this long-term comprehensive planning proposal could result in a process that similarly imposes top-down plans onto communities that haven't been involved in the planning itself, but who then have the largely ceremonial function of providing advisory comment during the final stages. Further, there is concern that after these long-term plans are adopted it would further minimize the role of Community Boards during review of individual applications in the ULURP process, where greater weight may be placed on adherence to these long-term plans rather than guidance from local communities.

Finally, CB1 is particularly concerned by the amount of oversight by the Mayor's Office as part of this proposal, specifically as it relates to community engagement. CB1 has experienced a very challenging track record of engagement by the Mayor's Office in recent years, especially regarding major projects

like Borough Based Jails. Though engagement was explicitly promised during earlier stages of the plan, actual community engagement has been at worst nonexistent, and at best poor.

We urge the New York City Council to take pause in consideration of this proposal until local communities have had a real chance to review and develop opinion on it. CB1 is not opposed to the concept of long-term comprehensive planning, but in order for it to be successful it must be rooted in local, community-based planning.

Please contact me if you have any questions or would like to discuss further.

Sincerely,

A handwritten signature in black ink, appearing to read "Tammy Meltzer", with a long horizontal stroke extending to the right.

Tammy Meltzer, Chairperson



COMMUNITY BOARD NO. 9

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Kenichi Wilson, Chairperson * James S. McClelland, District Manager * Donovan Richards, Borough President

February 16, 2021

The Executive Committee of Queens Community Board 9 strongly opposes the New York City Council's intro Local Law 2186–2020, dated 12/16/2020: A Local Law to Amend the New York City Charter, in relation to requiring a comprehensive long-term plan.

The proposed Charter amendments are based on the 54-page document prepared by City Council staff and titled: "Planning Together. A New Comprehensive Planning Framework for New York City." New York City Council Speaker Corey Johnson, (December 2020).

Background:

"Stealth" would be a better description than "Planning Together." This and other Boards only learned of and received copies of these documents a few weeks ago and not from the City Council. Not only is Speaker Johnson, intent on passing this land-use process – altering legislation by June at the latest, but a public hearing was announced last week on Tuesday (February 9) that the Council will hold exactly 2 weeks later, on February 23. In less than three months, this Council proposes amending the City Charter. These amendments will mandate new citywide re-zonings and radically alter the ULURP process by creating a land use plan for every community board area to be adopted on a cyclical basis every decade. To date, community boards 8, 11 and 13 have voted unanimously to oppose the Council's plan.

Impact:

Low-rise areas throughout the city – urban, suburban, and everything in between – will be affected. Through constant up zonings every decade. We believe that should this bill be adopted, the ultimate outcome will be the inevitable elimination of not only single – family zoning, but one by one, the homes themselves. It is not unthinkable that, should this occur, a single-family homeowner could easily find him or herself living on a block engulfed by high-rise development, that slowly but surely, is intended to raze their community.

The Speaker's proposal - co-sponsored by a dozen other Council members, though only one from Queens – alters ULURP significantly and gives us a new Robert Moses – type of planning czar, who will make final decisions. The proposed legislation does provide us with "at least one public hearing" as they proceed through their plans, with each speaker most likely allotted the usual 2 to 3 minutes to satisfy only the letter of the law.

The new bureaucracy – called the “office of long-term planning” will determine what zoning should be imposed on each community district, with new zoning options chosen from one of three new “land use scenarios” that will be submitted by community boards, borough presidents and a new long-term planning steering committee, then voted on by the Council, or, if they can’t decide, imposed by the director of long-term planning. Every 10 years residents could find themselves facing new up-zoning’s with virtually no way to stop them.

This Proposal Will:

- **Eventually eliminate one family zoning, and effect other lower density zones, with the ultimate elimination of existing one and two-family homes.**
- **Severely limit community input** into the future of their communities.
- **Further dilute and distort** the land-use process (ULURP).
- **Install a Planning Czar** with nearly absolute decision-making power, turning the clock back to the days of Robert Moses which the Charter mandated ULURP was intended to help cure.
- **Affect zoning throughout the City. Even though only 15% of the City is zoned for one family homes, this Bill will be adopted citywide.**
- **Remove residents from the process**, while guaranteeing the community “at least one public hearing,” the Council’s proposed “public charrettes,” are another kind of meeting that some of us are familiar with in which you can “change the color of the drapes,” but go no farther.
- **Continue uncertainty for affordable housing** in rezoned denser areas.
- **Mandate and reevaluate community board districts every 10 years, meaning that communities can expect continued higher and higher densities.** There are no guarantees that infrastructure will match the needs of these higher density areas.
- **Limit or totally eliminate any required off-street parking.** This would be especially hard on the many Queens areas lacking access to the subway and which are public transportation deserts.
- **The Council’s proposal will particularly devastate Queens,** (and Staten Island) which has one family homes and low-rise buildings.
- **The Council’s proposal will result in the eventual wholesale destruction of low-rise**

housing in New York City.

- **The Council's proposal will lead to more middle-income families moving out of the City and lower the already low percentage (30%) of owner-occupied units.**
- **Low-rise neighborhoods will disappear with each decade.** As a one- or two-family house is sold, developers will no longer be bound by low density zoning, but only by the highest zoning imposed upon the area.
- And perhaps most of all. This plan is **a gift to the real estate industry and big developers**, who will not be bothered by the change to the process proposed in this legislation.

False Rationales Used To Support the Council's Plan

The "Planning Together" document **falsely** states that the contextual zonings done during the Bloomberg administration were only done in white, wealthy communities. The Council's document states *"Mayor Bloomberg famously rezoned roughly 40 percent of the City's land mass but failed to address the City's historical neglect of people of color and lower-income neighborhoods. Instead, DCP downzoned dozens of neighborhoods in majority-white middle-income communities in Queens, Staten Island, the outer Bronx, and Brooklyn, where local civic organizations pressured the City to restrict development."* (Planning Together, page 29).

The Council's assertion is false that only white wealthy communities were rezoned under the Bloomberg administration.

Queens Community Board 9 runs the gamut of diversity on every level. Our re-zoning encompassed large swaths of Richmond Hill and Kew Gardens. CB 9 is 18.0 % White (Non-Hispanic); 5.5% Black; 26.2 % Asian (Non-Hispanic); 7.7 % Other Race (Non-Hispanic); 42.6 % Hispanic (of any race) | This data is from Department of City Planning's Community Profiles. CB 9 includes Kew Gardens – one of the first planned garden communities in the United States - as well as Richmond Hill with its many historic buildings.

Another zoning case in point is Queens CB 13 which represents Cambria Heights, and now opposes the City Council plan. One- and two-family homes comprise 61.24% of CB 13 housing. Its population is 55.6% black, 10.7% white, and 21.2% Hispanic and other. Thanks to the re-zoning done under the Bloomberg administration, their re-zoning protects Cambria Heights from the building of McMansions.

The Facts of Contextual Zoning:

Queens CB 9 was not unique in leading the charge for contextual zoning, zoning that should recognize what existed in our communities and had been mis-assigned under the Master 1961 zoning plan. Our zoning effort, which we know is not unique, was led by the Community Board. But it was dozens and dozens of people who lived in the district who worked and slogged day by day to document their communities. Residents contributed their time, working in teams, pencil and pad in

hand, working more than a year to describe accurately their community.

Moreover, as part of our efforts, we also UP ZONED sections of our community to provide for greater density, particularly along thoroughfares with immediate access to public transportation.

Our board was not unique in doing up zoning where it could work. All this work can be done by any community working alongside its community board and the planning department, and many communities did - to their credit. And yet, the Council's document maligns their efforts.

Unfortunately, these community-based contextual rezonings were halted under the current administration and a new regime of up-rezonings only were initiated, often against the very communities they purported to be helping to solve their affordable housing issues – nearly always with the assistance and approval of the current Speaker, who also did not initiate any contextual rezoning efforts of his own.

Summary

The authors of "Planning Together" (though they have planned totally without us) and the resulting intro 2186 – 2020 will do tremendous harm to the city's neighborhoods, should it be adopted into law. It is unfortunate that citizens, who spent years working to protect the bulk of their neighborhoods from speculative development while helping future growth in appropriate locations, should be maligned and ignored.

Intro 2186 – 2020's central goal creates another bureaucracy over existing governmental agencies, further limiting future participation and influence by Community Boards, elected officials and the general public. It is unacceptable to the neighborhoods and residents who make up Community Boards, the first level of government most accessible to the general public, to be subjected to fast tracking of defective legislation by the Speaker to avoid scrutiny.

It is logical that those who must live with decisions should certainly be part of making those decisions.

We demand that the City Council withdraw this legislation immediately, and not pretend that somehow, we have been "planning together."

Re: Intro- 2186-2020

-Arthur Teiler
Jackson Heights, New York

The land use proposal sounds like it is trying to look after the interest of so very many groups and interest and more communities, more interest groups, and more kinds of justice than I knew. Am writing because you are so gracious to consider so many and not mine. Must be many comparable to me so not just me, we're not organized into a community so you must represent us. Of course New York has many like me in there upper 80's and beyond, scattered all around the city yearning to keep out youth. I suspect the proposal was written primarily by younger people, who cannot understand what they have not experienced.

Am a lifelong new Yorker having grown up in the Bronx the first 19 years and the last 67 years in Queens, about half in a private home in East Elmhurst and now a Jackson Heights Co-op, I live the new York way.

Issue 1. Mixed Neighborhoods, East Elmhurst, Jackson Heights has a nice mixture of one family housing, small and large apartment buildings, shopping, offices, giving people here choice. That's a good way to be, so let the character of the neighborhoods change only as the neighborhoods want, s/b the responsibility of the community board to allow exceptions to the current character. At the local level the community boards are best able to make the decision and in a position to fine tune requests and make conditions in exchange for getting favors for the community. Main thoroughfares should allow more leeway and predominately residential less. For example in the area where I live and know, allow northern blvd, 37th Ave Junction blvd to have restaurants and bars, higher rises than the rest of the area. The 500 ft and 200 foot rules can be relaxed in exchange for no restaurants or bars in predominately residential areas. In residential allow a small

grocery or baker a very few tables and chairs with no music or alcohol. Exclusively one and two family structures block should not have a McMansion or high rise forced on them.

Issue 2. Parking. Living near the # 7 The E, F, G trains and busses I get to use public transportation a lot. until 2 years ago, before I developed tremors also used bicycle and the many bike lanes over the bridges, and, of course, do a lot of walking, even gave up the car for a short period till I realized the mistake of losing a valuable means to get around,. Public transportation is great for going to and from Manhattan but lousy going from Queens to the Bronx and Brooklyn, and useless going to family in Rockland county and New Jersey so I have mostly kept a car as well as a metro card , a bicycle and shoes. Now becoming less steady on my feet am aging into using the car a lot more than ever. My car has become my alternative means to getting around which is neglected in your proposal off favored alternate means. As long as I can get around am still a young man, but can become old quickly if your proposal goes through and shuts me in. never occurred to me how a car becomes increasingly important as we age. Take note those of you who are even younger than me.

The first 9 years in the co-op I was on the parking waiting list and often spent a long time to find a spot. Now I have a spot in the co-op garage for \$100 a month, so parking near home is easy, the purpose of using the car is to go places so I need street parking where I travel to. Recently parking has become much harder, the city has redesigned corners to take up spots, given spots to ride share and now allows restaurants to provide dining, proposals even to allow delivery spots. So how about expanding the parking as I describe below.. These are all valid needs that take away the little parking we have.

This suggestion is for all new residential construction to require more parking than rental units. The co-op I am in is on one square block with 360 families, typical of the many co-ops around here. It has 132 spaces for those 360 apartments; a space or two is given to management. Seems to me without a survey, assume about 20% of the families have no cars, about 40% have one, and 40% have more than one, so our 360 families need about 430 parking spaces. I have asked why we have so few the answer is the building was built to code, so you need to change the code. Instead of viewing the code as a minimum it is treated as optimum.

Please revise "code" to require at least 25% more spaces than units, or at least 15% more. To allow street parking for other needs and especially for visitors. Perhaps the additional income from parking could make the housing more affordable. Allow the buildings to go deeper down and/or higher up for the same living space. So a one family dwelling would need two parking spots, since only one is less than 115% and two family three places.



**Public Testimony
February 23, 2021
New York City Council Hearing Committee on Environmental Protection**

Re: Intro 2186, A Local Law to amend the New York City charter, in relation to requiring a comprehensive long-term plan

Submitted by Cortney Worrall, President and CEO, Waterfront Alliance

Thank you, Chair Cabrera and Council Members. I am Cortney Worrall, President and CEO of the Waterfront Alliance, an alliance of more than 1,100 organizations, businesses, and individuals. We also convene the Rise to Resilience Coalition – a coalition of more than 100 organizations calling on government to make climate resilience an urgent priority.

Climate change is a challenge for New York City unlike any threat it has faced before. For example, more than one million people are at risk from flooding today. This and other threats from climate change are not distributed equally.

In principle and intent, Intro 2186 is consistent with the Waterfront Alliance’s and Rise to Resilience Coalition’s platform for climate. This platform is the result of two years of organizing, outreach, and deliberations.

While we support this legislation, we urge amendments. Substantial changes are needed to meet the climate resilience goals that speaker Johnson spoke about at the start of this hearing.

Without changes, we believe waterfront and resiliency planning will not stand on equal footing next to the major needs this legislation seeks to address.

We recommend three changes:

- 1) **Put climate resilience and equity at the center of decision-making:** We propose the inclusion of a **climate resilience road map** based on data from the New York City Panel on Climate Change. The resilience road map should include a multi-hazard assessment of physical, social, and ecological risk. Capital planning that is aligned with a resilience road map will reduce costs, save property and save livelihoods.

NEXT: Ensure sufficient community engagement and empowerment: Robust public engagement must be substantial to match the extensive scope of this legislation.

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Richard S. Weeks

Cortney Koenig Worrall
President and CEO



The City will need greatly increased capacity at the community level and for partnering nonprofits and institutions for collaborative planning. This is especially critical in waterfront districts that are dense and experience flooding where extremely difficult decisions must be made – And these are often the most socially vulnerable communities and communities that generations of families have called home.

Lastly: **Ensure interagency coordination:** The City's current capital planning and development process is siloed, and the bill presents an opportunity to improve that. We call for a process that explicitly spells out how OLTPS will ensure interagency coordination for resiliency in capital planning processes.

And finally we urge you to support and pass Intro 2092. Intro 2186 focuses on how we plan the City, and Intro 2092 requires climate resiliency in how the built environment is built. We strongly feel there are things we must do now outside of planning processes that cannot wait.

We look forward to working with the Speaker and the Council.

We submit additional documentation to support our testimony today.



**Public Testimony
February 23, 2021
New York City Council Hearing Committee on Environmental Protection**

Re: Intro 2186, A Local Law to amend the New York City charter, in relation to requiring a comprehensive long-term plan

Submitted by Cortney Worrall, President and CEO, Waterfront Alliance

Thank you, Chair Cabrera and Council Members, for the opportunity to testify today. I am Cortney Worrall, President and CEO of the Waterfront Alliance, a civic organization and coalition of more than 1,100 community and recreational groups, educational institutions, businesses, and individuals working for resilient, revitalized and accessible coastlines for all communities. We also convene Rise to Resilience, a coalition of 100 organizations calling on our federal, state, and local governments to make building climate resilience an urgent priority in 2020 and beyond.

Climate change is a challenge for New York City unlike any threat it has faced before. The way the City plans for its future in this new climate era will affect generations to come. For example, more than one million people are at risk from flooding today. Rising temperatures regularly threaten vulnerable residents in areas with minimal green space and without access to air conditioning. These risks and the many additional threats from climate change are not distributed equally. From the Covid-19 public health crisis to the climate crisis, systemic racial inequities and disinvestment have exacerbated how these risks disproportionately impact Black, Latinx, immigrant, and low-income populations.

Land use and infrastructure policies created many of these inequities and vulnerabilities, and our City will not thrive without directly assessing and redressing them.

In principle and intent, Intro 2186 is consistent with the Waterfront Alliance’s and Rise to Resilience Coalition’s platform for climate resilience for New York City. The platform calls for a comprehensive plan and evidence-based, equitable, community-driven capital decision-making framework that places climate front and center. This platform is the result of two years of organizing, conversations and deliberations conducted with communities, climate and resilience professionals, businesses, individuals, and community leaders.

Intro 2186 is a vehicle that can meet multiple Citywide goals, from climate resilience to equitable zoning and distribution of capital resources.

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- Peggy Shepard
- Michael Stamatidis
- Richard S. Weeks

Cortney Koenig Worrall
President and CEO



While we support this legislation, we urge amendments. Substantial changes are needed to meet the climate resilience goals that speaker Johnson spoke about at the start of this hearing.

Without changes, we believe waterfront and resiliency planning will not stand on equal footing next to the major needs this legislation seeks to address.

The Waterfront Alliance recommends amendments to strengthen the bill's impact on climate resilience in three categories:

- 1) **Center climate resilience and equity in decision-making:** With rising seas and temperatures associated with the climate crisis, we need to ensure that every land use and infrastructure decision is driven by and based on climate data and community education processes that ensure the City and the communities within it can thrive for generations to come. We propose the inclusion of a **climate resilience road map** informed by the New York City Panel on Climate Change that includes a multi-hazard risk assessment of physical, social, and ecological vulnerabilities over time, and strategies and policy recommendations for climate risk reduction in all five boroughs, prioritizing multi-beneficial and equitable approaches.

Capital planning that is aligned with a citywide climate resilience road map will: 1) reduce the financial risks and costs to the City of New York and taxpayers posted by climate change; 2) help ensure investments are equitably distributed across communities and based on risk; 3) reduce the percentage of the population facing health and financial risks posed by climate change; 4) improve infrastructure, gain efficiencies, and save costs; and 5) benefit and expand habitat, public open space, and natural resources. Such a climate resilience road map should include:

- Integration of resilience into coordinated capital planning and budgeting across agencies for above and below-ground infrastructure and building construction, maintenance, retrofits, and replacement. This should include a process for bundling projects across departments where alignment opportunities exist.
- Regular and comprehensive assessment and tracking of City infrastructure condition and lifespan to inform coordinated capital planning and budgeting.
- Zoning and land use regulation to reconcile growth and risk with a particular focus on increasing affordable density in areas of low risk and reducing building stock at risk over time



- Zoning and land use regulation and acquisition to facilitate wetlands migration and protection
- Integration of the Climate Resilience Design Guidelines into building code and infrastructure design standards
- Emergency management and response planning
- Neighborhood and building-scale structural interventions (e.g. berms, floodwalls, retrofits, floodproofing, elevation, voluntary relocation, rolling easements, transfer of vacant lands)
- Investments in social and natural capital and adaptive capacity
- Strategies for retrofitting, replacing, and/or relocating critical City assets and infrastructure over time (e.g. NYCHA housing located in areas subject to the greatest impacts from climate change)

2) Ensure sufficient community engagement and empowerment: Robust public engagement will need to be substantial and well-funded to match the extensive scope of this legislation and the ten-year planning process.

In order to obtain comprehensive planning results that are reflective of community priorities and the difficult decisions that must be made due to climate change, capacity for public engagement must be prioritized. The City will need education capacity at the community level, for partnering nonprofits, and for executing ongoing collaborative planning activities that are needed for public decision-making processes. This is especially critical in waterfront districts that have dense populations in the floodplain, have experienced past storms, and continue to have complex infrastructure needs given recurring flooding. These are also often the most socially vulnerable communities and often communities that generations of families have called home.

We recommend adding specifics to the bill for how the public will be engaged beyond the community board meeting and public meeting process. For example, in-person public meetings should be designed to ensure people who speak languages other than English, who have children, are employed during evening hours, depend on mass transit, are hearing impaired, or the other needs are accommodated to ensure the broadest cross sections of New Yorkers have equitable access to this bill's public input processes. In addition, creative engagement techniques such as animated videos and illustrated posters and a public awareness campaign on and use and flood risk, should be available at in-person locations such as libraries as well as online as part of a robust community engagement strategy. We call for these measures in the Rise to Resilience policy platform.



3) **Ensure interagency coordination:** The City's current capital planning and development process is siloed, and the bill presents an opportunity to improve interagency coordination. We call for including specifics in the bill that ensure agencies will work together in a truly integrated way, using the *Conditions of the City* report to inform a shared capital vision. We are calling for a process that explicitly spells out how the Office of Long-Term Planning and Sustainability (OLTPS) will ensure interagency coordination in capital planning processes, such as an interagency work group led by OLTPS.

Further, it should be better clarified how City-wide and system-wide infrastructure needs are squared with district needs and how infrastructure lifespan, maintenance and operations are addressed over time given climate trends.

And finally, as a companion to this bill, we strongly encourage you to also support Intro 2092, which would require that all City capital projects meet climate resiliency design guidelines and would establish resilience letter grades. While Intro 2186 focuses on how we plan the City, Intro 2092 requires climate resiliency in how the built environment is built. We must ensure that climate resilience is embedded into how the City designs, retrofits, replaces, and maintains its infrastructure and the built environment which people depend on every day. Intro 2092 is a critical near-term complementary step to getting there. We strongly feel there are adaptation measures we can adopt today such as these guidelines – informed by science and planning – that cannot wait.

We look forward to working with the Speaker and the Council to pursue a comprehensive land use and infrastructure decision-making framework that addresses the City's climate risks.

Appended are our detailed comments on the bill.



Attachment A: Detailed preliminary comments and recommendations on Intro 2186 from the Rise to Resilience coalition

RISE TO RESILIENCE

OUR COMMUNITIES, OUR FUTURE

Rise to Resilience initial feedback on New York City Intro 2186

About Rise to Resilience

Rise to Resilience is a coalition of residents, leaders in business, labor community and justice, volunteer organizations, scientists, environmental advocates, and design professionals collectively calling on our federal, state, and local governments to make building climate resilience an urgent priority in 2020 and beyond.

Overview

As detailed in our December 23 letter to the Speaker, we agree that a comprehensive plan and capital framework are much needed. In principle and intent, Intro 2186 is consistent with the Rise to Resilience coalition's proposed resilience framework for land use and infrastructure decision-making to address climate risks. Our coalition's present New York City focus is to ensure that climate change and associated risks, especially to socially vulnerable populations, are placed front and center in comprehensive planning and infrastructure decisions. Our requests and comments are summarized below, followed by in-line comments on the bill text.

General recommendations

- **Climate resilience:** strengthen the planning for climate resilience by including a comprehensive risk assessment of all climate hazards as well as physical, social, and ecological vulnerabilities to those hazards. Further, expand engagement to support communities in determining their own futures in areas at highest risk of climate change. This requires much more intensive and ongoing engagement than is laid out in the bill. We have suggested, on page 6, a specific deliverable (Climate Resilience Road Map) that should be funded and inform land use scenarios and interagency capital decision-making. (see also pages 13-14 of this document)
- **Interagency decision-making:** there are silos in the City's current capital planning and development process that the bill as written does not necessarily resolve. We would like to see more clarity on the process by which agencies will work together in a truly integrated way, using the Conditions of the City report to inform a shared capital vision. Further, it should be better clarified how City-wide and system-wide infrastructure needs are squared with district needs and how infrastructure lifespan, maintenance and operations are addressed over time given climate trends. (see pages 6, 22)

- **Integration of related bills:** advance or incorporate two related bills championed by Councilmember Costa Constantinides as the “Rise to Resilience Act.” They include:
 - Intro 2092, which would require all City capital projects to meet climate resiliency design guidelines and would establish resilience letter grades. In Intro 2186, the requirement of a “resiliency score” is included. **Recommendation:** support passage in its current form and reference the guidelines directly in 2186.
 - Intro 2149, which would establish climate indicators for measuring both impacts and progress toward Citywide goals. This is specifically relevant to the proposed targets and conditions of the City Report. A pathway for the New York City Panel on Climate Change to assist in their development should be incorporated. **Recommendation:** integrate components into 2186
- **Comprehensive approach to asset management:** the *Planning Together* report alludes to a more central approach to physical needs assessments and maintenance of infrastructure. We think this could significantly improve our infrastructure (see the suggested language on page 15).
- **Public engagement:** there is a lack of specificity as to how public engagement will be sufficiently carried out and resourced to engage people beyond community boards. This bill would require significant simultaneous engagement, and it is not clear how that will be carried out given limited City and Community Board resources and staff.

Questions:

- Planning for climate change requires near-, mid, and long-term strategies. How will this bill ensure that targets are planned for and met beyond the 10-year cycle?
- How will this bill address the need for retreat of structures from the riskiest areas and changes to density and infrastructure at risk over time? This should be clearly articulated with a focus on the City’s commitment to holistic and sensitive community processes that allow for difficult decisions about retreat to be made by home and business owners.
- How will you ensure that there is sufficient public input? Have you calculated what resources are within and beyond needed for public input beyond the community board and identified other ways to conduct public input processes that are not dominated solely by public meeting models?
- How does the rule regarding the Citywide goals statement and 10% change to targets work in practice? How are disputes resolved between the City and community boards (page 9). Do you have examples of cities where this is working in practice?
- How will completion across electoral cycles and address, integrate, or leverage existing planning mandates and cycles beyond those it strikes, including:
 - Greenhouse Gas Inventory – annual (LL22/2008)
 - Comprehensive Wetlands Protection Strategy – every four years (LL31/2009)
 - NPCC – every three years (LL42/2012)
 - Environmental Justice study – every five years (LL64//2017)
 - Long-Term Energy Plan – every four years (LL248/2017)

- Stormwater Study and Map (LL 172/2018)
- New York City Panel on Climate Change
- What is the role of the City Planning Commission and advisory boards in relation to the Long-Term Planning Committee? Further, how do you expect the shift toward OLTPS as a central organizing force to affect the nature of the office?
- What would a general EIS for the plan cost, and how would it meet state and local environmental quality statutes for most projects?

Detailed comments on the original bill text

Int. No. 2186

By The Speaker (Council Member Johnson) and Council Members Reynoso, Lander, Rivera, Gibson, Kallos, Salamanca, Brannan, Levin, Rodriguez, Powers and Constantinides

A Local Law to amend the New York city charter, in relation to requiring a comprehensive long-term plan

Be it enacted by the Council as follows:

Section 1. Section 17 of the New York city charter, as added by a vote of the electors on November 7, 1989, is amended to read as follows:

§ 17 [Strategic Policy Statement] Citywide Goals Statement. a. On or before [the fifteenth day of November of nineteen hundred ninety] April 15, 2023, and every [four] five years thereafter, the [mayor] director of the office of long-term planning shall submit a preliminary citywide goal statement for the city to the borough presidents, council and community boards. Prior to the release of the preliminary statement, the director shall convene at least one public meeting in each borough to solicit proposed goals in response to the long-term issues identified in the conditions of the city report.

b. Such preliminary statement shall include: (i) [a summary of the most significant long-term issues faced by the city; (ii)] citywide policy goals related to the long-term issues identified in the conditions of the city report required by subdivision j of section 20 which shall include but

not be limited to goals to reduce and eliminate disparities across race, geography, and socioeconomic status in access to opportunity and the distribution of resources and development and to vulnerabilities to climate hazards; (ii) [(iii) proposed strategies for meeting such goals.] quantitative citywide targets for housing, jobs and associated needed commercial, retail, and industrial space, open space, resiliency infrastructure, reduced climate risk, green infrastructure, city facilities, school seats, public transportation, public utilities, and other infrastructure that the director of the office of long-term planning finds appropriate to include; and policy goals pertaining to the waterfront, with such targets established by the long-term planning steering committee and informed by the conditions of the city report; (iii) criteria and methodology established by the long-term planning steering committee for determining quantitative community district level targets for each community board within each category enumerated in paragraph ii of this subdivision, which shall include but not limited to prioritizing population growth, where applicable, in areas that have high access to opportunity and low risk for displacement, as determined by the conditions of the city report prepared pursuant to section 20; and (iv) a statement of the planning policy of the department of city planning and city planning commission, which shall take into consideration, at a minimum, the information contained in the conditions of the city report. In preparing such citywide goals statement [of strategic policy], the [mayor] director of the office of long-term planning shall consider the strategic policy statements prepared by the borough presidents pursuant to subdivision fourteen of section eighty-two.

[b] c. On or before [the first day of February of nineteen hundred ninety-one] July 1, 2023, and every [four] five years thereafter, the [mayor] director of long-term planning shall submit a final citywide goals [strategic policy] statement for the city to the borough presidents, council and community boards. The final statement shall include such changes and revisions as the [mayor]

director of the office of long-term planning deems appropriate after reviewing the comments received on the preliminary citywide goals [strategic policy] statement. The director of the office of long-term planning shall hold at least one hearing in each borough for the public to comment on such preliminary citywide goals statement no less than 30 days prior to the release of the final citywide goals statement.

§ 2. Paragraph 1 of subdivision b of section 20 of the New York city charter, as added by local law 17 of 2008, is amended to read as follows:

1. develop and coordinate the implementation of policies, programs and actions to meet the long-term needs of the city, with respect to its infrastructure, environment [and], overall sustainability and equitable distribution of resources and development citywide, including but not limited to the categories of housing, open space, brownfields, transportation, water quality and infrastructure, air quality, energy, [and] climate change; economic development, land use, public health, and arts and culture; the resiliency of critical infrastructure, the built environment, coastal protection and communities; and regarding city agencies, businesses, institutions and the public;

§ 3. Subdivision d of section 20 of the New York city charter is REPEALED.

§ 4. Subdivision e of section 20 of the New York city charter, as added by local law 17 of 2008, is amended to read as follows:

[e] d. Long-term [sustainability] plan. 1. The director shall develop and coordinate the implementation of a comprehensive[,] long-term [sustainability] plan for the city. Such plan shall include, at a minimum:

[i. an identification and analysis of long-term planning and sustainability issues associated with, but not limited to, housing, open space, brownfields, transportation, water quality and infrastructure, air quality, energy, and climate change; and

ii. goals associated with each category established pursuant to paragraph one of subdivision b of this section and any additional categories established by the director, and a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal by no later than April twenty-second, two thousand thirty.]

i. policies and strategies for achieving the goals set forth in the citywide goals statement prepared pursuant to section 17 and for each such policy or strategy identified, capital, and expense budget needs required to implement each such policy or strategy as well as potential opportunities for funding and financing beyond the capital budget;

ii. an analysis of the portions of the zoning resolution that merit reconsideration in light of the planning policy of the department of city planning and city planning commission and proposals for implementing such planning policy whether by amendment of the zoning resolution, development of plans, or otherwise;

iii. quantitative community district level targets for housing, jobs including associated needed commercial, retail, and industrial space, open space, resiliency infrastructure and climate hazard risk reduction, green infrastructure, stormwater management, city facilities, school seats, public transportation, public utilities, greenhouse gas reduction, and other infrastructure corresponding to each such district that the director of the office of long-term planning finds appropriate to include;

iv. A climate resilience road map report that will inform land use scenarios identified through the plan. The road map shall include, but not be limited to: 1) a climate risk assessment including physical, social, physical, and ecological vulnerability; and 2) strategies and policy recommendations for climate risk reduction developed in partnership with communities affected

Commented [KB1]: See note on the New York City Commission on Climate Change in the intro and its relation to developing climate resiliency metrics/indicators.

by climate risks in all five boroughs; 3) specific recommendations to establish an interagency decision-making process to improve City resilience.

iv. three potential land use scenarios for accommodating the community district level targets established by clause iii of this paragraph, each of which shall include all applicable proposed future land uses, including but not limited to: residential, commercial, industrial, institutions, open space, green infrastructure, floodplain restoration, transportation, and utilities, with indications for relative height and density. Each of the three potential land use scenarios shall prioritize: (1) areas for population growth, where applicable, that have high access to opportunity and low risk for displacement as well as low climate hazard risk, as determined by the conditions of the city report prepared pursuant to section 20; strategies that result in multiple benefits and reduced infrastructure and housing at climate risk and (2) any other priorities identified by the director through the public engagement

process pursuant to paragraph 3 of this subdivision; and

v. the capital investment needs of each community district under current conditions, any projects corresponding to the community district found in the most recent capital commitment plan, and any additional capital needs to accommodate the community district level targets.

2. [No later than April twenty-second, two thousand eleven, and no later than every four years thereafter, the director shall develop and submit to the mayor and the speaker of the city council an updated long-term sustainability plan, setting forth goals associated with each category established pursuant to paragraph one of subdivision b of this section and any additional categories established by the director, and a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal by no later than twenty years from the date each such updated long-term sustainability plan is submitted. No later than two thousand fifteen, and no later

than every four years thereafter, the plan shall also include a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal relating to the resiliency of critical infrastructure, the built environment, coastal protection and communities. Such updated plan shall take into account the population projections required pursuant to subdivision d of this section. An updated] Such plan shall include [, for each four-year period beginning on the date an updated plan is submitted to the mayor and the speaker of the city council,] implementation milestones for each policy, program and action contained in such plan including an identification of the responsible agency and a projected timeline for completion, where applicable, [. An updated plan] and shall report on the status of the milestones contained in the immediately preceding [updated] plan. Where any categories, goals, policies, programs or actions have been revised in, added to or deleted from a a [an updated] plan, or where any milestone has been revised in or deleted from a a [an updated] plan, the plan shall include the reason for such addition, revision or deletion. [The director shall seek public input regarding an updated plan and its implementation before developing and submitting such plan pursuant to this paragraph. The director shall coordinate the implementation of an updated long-term sustainability plan.]

3. Following the release of the citywide goals statement required by section 17, the director shall hold at least one public meeting within each community district to solicit input on the draft comprehensive long-term plan.

4. No later than April 15, 2024, and no later than every tenth April 15 thereafter, the director shall submit to the council, borough presidents, and community boards a draft comprehensive long-term plan.

5. No later than 150 days after the submission of the draft comprehensive long-term plan, the long-term planning steering committee, applicable borough presidents, and applicable

community boards shall each submit to the speaker of the city council a recommended preferred land use scenario for each applicable community district and may adopt suggested amendments to the corresponding community district level targets.

6. No later than February 15, 2025 and no later than every tenth February 15 thereafter, the council shall, after a hearing on the draft comprehensive long-term plan, adopt a single resolution establishing one preferred land use scenario for each community district. If the council fails to adopt a preferred land use scenario for each community district by such date, the director shall select preferred land use scenarios, which shall be accompanied by a written narrative describing the director's selection process.

7. Not later than June 5, 2025, and every tenth June 5 thereafter, the director shall submit to the speaker of the city council, borough presidents, and community boards, a final comprehensive long-term plan prepared in accordance with the provisions of this section. The final comprehensive long-term plan shall include the preferred land use scenario and community district level targets adopted by the council for each community district. If the council failed to adopt a preferred land use scenario, the final comprehensive long-term plan shall include the preferred land use scenario selected by the director for each community district. The director shall consider all public feedback in producing the final plan.

8. The plan required by this subdivision, and any amendment thereto, shall be subject to the provisions of the city environmental quality review procedure and shall be designed to also serve as, or be accompanied by, a generic environmental impact statement developed pursuant to the state environmental quality review act statute and regulations. No further compliance with such law shall be required for subsequent site specific actions that are in conformance with the

conditions and thresholds established for such actions in the generic environmental impact statement and its findings.

9. If the citywide goals statement pursuant to subdivision d of section 17 adds, eliminates, or substantially changes the community district level targets pursuant to subdivision a of section 17 by increasing or decreasing the targets by more than ten percent, the director shall produce an amendment to the comprehensive long-term plan no later than June 4 in the fifth year following the release of the draft comprehensive long-term plan pursuant to this section. The director shall convene at least one public meeting in each borough on the updated comprehensive long-term plan and provide opportunities for the public to comment. Following the public meetings, any proposed updated preferred land use scenario shall be subject to council review and adoption pursuant to the procedures of paragraph 3 of this subdivision.

§ 5. Subdivision f of section 20 of the New York city charter, as added by local law 17 of 2008, is amended to read as follows:

[f] e. Review and reporting. 1. No later than December 31, 2022, [April twenty-second, two thousand nine,] and no later than every December 31 [April twenty-second] thereafter, the director shall prepare and submit to the mayor, [and] the speaker of the city council, and the long-term planning steering committee a report on the city's long-term planning and sustainability efforts. In those years when an updated long-term [sustainability] plan is submitted pursuant to paragraph two of subdivision [e] d of this section, such report may be incorporated into the updated long-term [sustainability] plan. The report shall include, at a minimum:

i. the city's progress made to implement or undertake policies, programs and actions, including the community district level targets, included in the [sustainability] comprehensive long-term plan [or updated sustainability plan required by subdivision e of this section] and the ten-year

capital strategy prepared pursuant to section 215, since the submission of the most recent plan [or updated plan] or report required by this paragraph, which shall include all city-initiated land use actions studied, scoped, or filed since the prior report; and

ii. any revisions to policies, programs or actions in the previous long-term [sustainability] plan, including the reason for such revision.

§ 6. Subdivision g of section 20 of the New York city charter, as added by local law 17 of 2008, is amended to read as follows:

[g] f. [There shall be a sustainability advisory board whose members, including, at a minimum, representatives from environmental, environmental justice, planning, architecture, engineering, coastal protection, construction, critical infrastructure, labor, business and academic sectors, shall be appointed by the mayor. The advisory board shall also include the speaker of the city council or a designee and the chairperson of the council committee on environmental protection or a designee. The advisory board shall meet, at a minimum, twice per year and shall provide advice and recommendations to the director regarding the provisions of this section.]

Long-term Planning Steering Committee. 1. There shall be a long-term planning steering committee consisting of thirteen members appointed by the mayor, speaker of the city council, and borough presidents. No later than February 1, 2022, the mayor shall appoint four members to the committee, the speaker of the city council shall appoint four members to the committee, and each borough president shall appoint one member each to the committee. In the event of a vacancy on the committee, a successor shall be chosen in the same manner as the original appointment. The committee shall include individuals who are members of groups historically underrepresented in planning and land use decision-making processes. Each appointed member shall have expertise in one or more of the following areas: planning, transportation, sustainability, climate resilience and

mitigation, housing, public utilities, social services, working waterfront, coastal management, and economic development.

2. The steering committee shall: i. establish the citywide targets described by section 17 by majority vote no later than March 1, 2023 and every tenth March 1 thereafter, and as necessary revise no later than July 1 of the corresponding year;

ii. meet, at a minimum, twice per year and provide recommendations to the director regarding the provisions of this section;

iii. hold at least one annual hearing on the planning process and implementation of the comprehensive long-term plan;

iv. adopt criteria and methodology for establishing the three potential land use scenarios pursuant to subparagraph vii of subdivision d of section 20, no later than March 1, 2023 and every tenth March 1 thereafter, and as necessary revise no later than July 1 of the corresponding year;

v. adopt the community district level targets for any category within the previously adopted citywide targets, no later than February 1, 2024 and every tenth February 1, 204 thereafter; and

vi. no later than January 31 of each year, issue a report to the mayor and speaker of the city council that describes each meeting held by the committee and any other activities undertaken by the committee for the immediately preceding year.

3. Borough Steering Committees. The long-term planning steering committee shall no later than September 1, 2022 convene borough steering committees to inform the comprehensive long-term planning process and the long-term planning steering committee's obligations under paragraph 2 of this subdivision. In convening borough steering committees, the long-term planning steering committee shall ensure each borough steering committee reflects the diversity of each borough with respect to race, ethnicity, earnings, age, gender, ability, homeownership rates, and

immigration status among other factors determined by the long-term planning steering committee.
The borough steering committee shall provide recommendations to the comprehensive long-term planning steering committee on the citywide targets and potential land use scenario criteria and methodologies and on the committee's preferred land use planning scenario for each community district. Such recommendations, upon their transmittal to the steering committee, shall be sent to the mayor, speaker, borough presidents, and community boards.

§ 7. Subdivision h of section 20 of the New York city charter, as added by local law 17 of 2008, is amended to read as follows:

[h] g. The director shall post on the city's website, a copy of each [sustainability] comprehensive long-term plan required by subdivision [e] d of this section, and all reports prepared pursuant to this section, within ten days of their completion.

§ 8. Subdivisions i and j of section 20 of the New York city charter are renumbered h and i, respectively.

§ 9. Section 20 of the New York city charter, as added by local law 17 of 2008, is amended to add subdivision j as follows:

j. Conditions of the City report. 1. No later than February 7, 2023, and every five years thereafter, the director shall prepare and submit a report detailing the existing conditions of the city for the purpose of comprehensive long-term planning. No sooner than six months prior to the date established for the release of the report required by this subdivision, the director shall convene at least one public meeting in each borough to solicit feedback on existing conditions and areas of inquiry.

2. Such report shall include: i. a summary of the most significant long-term issues faced by the city as determined by the director and an identification and analysis of comprehensive long-

Commented [KB2]: Should consider the three-year cycle of the New York City Panel on Climate Change and ensure that it connects in a way that can best inform this plan

term planning and sustainability issues associated with, but not limited to housing, employment, open space, transportation, education, city facilities and infrastructure, resiliency, energy, climate change, public health, arts and culture, economic development, zoning, and land use;

ii. an analysis of overall changes in demographic, housing, and economic data over the prior 20 years and projections for the subsequent 20 years, including population, race, ethnicity, age, and household family structures; housing market and production data; and changes in employment, the number and size of businesses, and industry sectors, and wages, as available;

iii. an assessment of the city's existing and projected affordable housing needs, with respect to the number and size of units, depth of affordability, potential losses to stock or decreased unit habitability due to sea level rise and climate change, and unit habitability, including projected needs for maintenance, repairs, capital improvements, and expiring regulatory tools for the city's existing affordable housing stock;

iv. a displacement risk index designed to predict areas with populations that are at risk for physical displacement based on indicators of population vulnerability, including but not limited to development potential, construction activity, median rents and rates of rent burden, housing market changes including residential property sales prices and the number and share of rent-stabilized units, eviction rates, employment and wage data, poverty rates, and projected climate change impacts;

v. an access to opportunity index that identifies disparities among populations with respect to social, economic, and physical determinants including but not limited to access and proximity to existing civic infrastructure including schools, libraries, health care centers, child care centers, parks and open space, proximity to public transit; the quality of existing transportation

infrastructure including streets and sidewalks; school performance and graduation rates; proximity to employment; and access to healthy food;

vi. an assessment of segregation, including, but not limited to, fair housing and school segregation by race, ethnicity, or income;

vii. Climate indicators and a multi-hazard and climate risk assessment based on physical, social, and ecological vulnerability and exposure to short-, medium-, and long-term climate hazards, developed in collaboration with the New York City Panel on Climate Change and employing projections made by the New York city panel on climate change pursuant to paragraph 2 of subdivision 2 of section 3-122 of the administrative code;

viii. an assessment of waterfront resources for the natural waterfront, the public waterfront, the working waterfront, the developing waterfront and inaccessible waterfront;

ix. rankings indicating how saturated each community district is with respect to city facilities and services discussed in section 203;

x. a physical needs assessment that assesses and rates the physical condition and state of repair of the city's capital assets, including, but not limited to, buildings, facilities, infrastructure, systems, or components thereof. Such physical needs assessment shall include a resiliency score for each capital asset calculated in accordance with a resiliency score matrix prepared by the office. Such resiliency score matrix may include but need not be limited to features such as elevation to reduce the risk of flooding over the anticipated useful life; flood-proofing of structures or equipment; energy efficiency; energy resilience, including energy storage with or without use of on-site renewable energy generation; and on-site storm water capture and management. Such physical needs assessment shall be prepared or reviewed by professional engineers or architects after a field inspection, logged into a central asset management system, and shall contain a

Commented [KB3]: See Intro 2092 – we fully support passage of 2092 (resilient design guidelines bill) and think this could be passed alongside 2186, but need to resolve the connection to this bill or integrate elements of and amend 2092.

recommendation of whether to repair, replace or maintain each capital asset or component thereof, or take no action, as well as an assessment of the urgency and purpose of any such recommended action;

xi. an analysis of the five most recent social equity reports on the social economic and environmental health of the city required by section 16 of the Charter including data on the social, economic, and environmental conditions; gender, racial, ethnic and income disparities; and disparities relating to sexual orientation, as well as other disparities as may be identified by such report, which may include national origin, citizenship status, age, and disability status, across the domains of education, health and wellbeing, housing, empowered residents and neighborhoods, economic security and mobility, core infrastructure and the environment, personal and community safety, and diverse and inclusive government;

xii. a summary of the significant plans and studies completed or undertaken by the department of city planning and adopted plans proposed pursuant to section 197-a in the preceding ten years; and

xiii. an analysis of all rezonings adopted no less than 10 years and no greater than 15 years prior to the release of the report required by this subdivision where the (1) amendments to the zoning regulations pertaining to such area were proposed by the city or a local development corporation; (2) the city planning commission approved or approved with modifications such amendments for a matter described in paragraph 3 of subdivision a of section 197-c of the charter; (3) the city planning commission decision was approved or approved with modifications by the council pursuant to section 197-d of the charter and is not subject to further action pursuant to subdivision e or f of such section; or (4) the amendments involved at least 10 blocks of real property in such area or increased permitted floor area by at least one million square feet. Such

analysis shall review the impacts of such rezonings, including but not limited to changes in land use, production of housing units and affordable housing units, production of commercial and industrial space, median market-rate rent, project area population and key characteristics such as race, ethnicity, median household income, project area businesses, employment, and industry sectors and evaluate these impacts in comparison to the stated policy goals of the project.

§ 10. Subdivision 14 of section 82 of the New York city charter, as amended by a vote of the electors on November 7, 1989, is amended to read as follows:

14. On or before [the first day of] September 1, [nineteen hundred ninety] 2022, and every [four] five years thereafter, prepare a strategic policy statement for the borough and provide copies of such statement to the mayor, council, [and] community boards in the borough, and the director of the office of long-term planning. Such statement shall include: (i) a summary of the most significant long-term issues faced by the borough; (ii) policy goals related to such issues that reduce and eliminate disparities across race, geography and socioeconomic status in access to opportunity and the distribution of resources and development; and (iii) proposed strategies for meeting such goals. In preparing the statement, the borough president shall consult with the community boards in the borough.

§ 11. Subdivision b of section 197-c of the New York city charter, as amended by a vote of the electors on November 7, 1989 is amended to read as follows:

b. The following documents shall be filed with the department of city planning: (1) applications under this section, (2) any amendments thereto that are made prior to approval of such applications pursuant to this chapter, (3) any written information submitted by an applicant for purposes of determining whether an environmental impact statement will be required by law, [and] (4) documents or records intended to define or substantially redefine the overall scope of issues to

be addressed in any draft environmental impact statement required by law, and (5) a statement of alignment describing how the application aligns, conflicts, or is not applicable to the comprehensive long-term plan prepared pursuant to subdivision d of section 20. The department of city planning shall forward a copy of any materials it receives pursuant to this subdivision (whether or not such materials have been certified as complete) within five days to each affected borough president, community board or borough board.

§ 12. Subdivision c of section 197-c of the New York city charter is amended to read as follows:

c. The department of city planning shall be responsible for certifying that applications pursuant to subdivision a of this section are complete and ready to proceed through the uniform land use review procedure provided for in this section. The department shall promulgate rules to determine whether such applications align with the comprehensive long-term plan required by subdivision d of section 20. Upon certification of an application, the department shall give notice of such certification to the council. If an application under this section has not been certified within six months after filing, both the applicant and, if the land use proposed in an application is consistent with the land use policy or strategic policy statement of the affected borough president, the affected borough president shall have the right at any time thereafter to appeal to the city planning commission for certification. The commission shall promptly, but in any event within sixty days of the filing of such an appeal, either certify the application or state in writing what further information is necessary to complete the application. If such an appeal is brought by an affected borough president, the affirmative vote of five members of the commission shall be sufficient to certify the application.

§ 13. Subdivision h of section 197-c of the New York city charter, as amended by a vote of the electors on November 7, 1989, is amended to read as follows:

h. Not later than sixty days after expiration of time allowed for the filing of a recommendation or waiver with the city planning commission by a borough president, the commission shall approve, approve with modifications, or disapprove the application. Any such approval or approval with modifications of the commission shall require the affirmative vote of at least seven of the members, except that the affirmative vote of nine members shall be required to approve or approve with modifications an application pursuant to paragraph five, ten or eleven of subdivision a of this section relating to a new city facility if the affected borough president recommends against approval of such application pursuant to subdivision g of this section and has proposed an alternative location in the same borough for such new city facility pursuant to subdivision f or g of section two hundred four. The commission shall conduct a public hearing on all applications that are subject to review and approval by the commission pursuant to this section. Prior to taking any action pursuant to this subdivision on a matter involving the siting of a capital project, the sale, lease, exchange or other disposition or acquisition of real property, a request for a proposal or other solicitation for a franchise or a revocable consent, the city planning commission may obtain a report from the office of management and budget or the department of citywide administrative services, as appropriate. Any action of the city planning commission which modifies or disapproves a written recommendation of the community board, borough president or borough board shall be accompanied by a written explanation of its reason for such action. A written explanation of the rationale for such action shall accompany any (i) action of the city planning commission, or (ii) written recommendation of a community board, borough president,

or borough board, which approve or modify an application which conflicts with the comprehensive long-term plan prepared pursuant to subdivision d of section 20.

§ 14. Paragraph 1 of subdivision b of section 197-d of the New York city charter is amended to read as follows:

(1) any decision of the city planning commission to approve or approve with modifications a matter described in paragraph three of subdivision a of section one hundred ninety-seven that is deemed to conflict with a land use scenario found in paragraph 7 of subdivision d of section 20, a matter described in paragraph [or] eight of subdivision a of section one hundred ninety-seven-c, a disposition of residential real property (as defined in this paragraph) pursuant to paragraph ten of subdivision a of section one hundred ninety-seven-c (except for dispositions to companies that have been organized exclusively to develop housing projects for persons of low income), a plan pursuant to section one hundred ninety-seven-a that is deemed to conflict with a land use scenario found in paragraph 7 of subdivision d of section 20, or a change in the text of the zoning resolution pursuant to sections two hundred or two hundred one that is deemed to conflict with a land use scenario found in paragraph 7 of subdivision d of section 20. For purposes of this section, residential real property shall mean real property improved by structures, whether or not occupied, built for or converted to a use which is primarily residential, but shall not include property subsequently converted to non-residential use;

§ 15. Section 205 of the New York city charter is REPEALED.

§ 16. Subdivisions b and c of section 215 of the New York city charter, as added by a vote of the electors on November 7, 1989, is amended to read as follows:

a. The ten-year capital strategy shall be issued by the mayor pursuant to section two hundred forty-eight after [(i)] 1. submission of a preliminary strategy by the department of city

planning and the office of management and budget pursuant to section two hundred twenty-eight, and [(ii)] 2. submission of a report on the preliminary strategy by the city planning commission following a public hearing, pursuant to section two hundred thirty-four.

b. Contents of ten-year capital strategy. Each ten-year capital strategy shall include:

[(1)] 1. A section detailing the cost to maintain existing city infrastructure and public buildings in a state of good repair so as to preserve structural integrity and prevent deterioration. This section shall include a cost estimate for every action recommended in the physical needs assessment required by subdivision j of section 20, and shall be prepared or reviewed by the professional engineers or architects who prepared or reviewed the physical needs assessment or by professional engineers or architects registered in the state of New York and employed by the office of management and budget or the agencies involved. The cost estimates shall be organized by agency, agreed upon through an through an interagency process, and completed without regard to whether funds are available at the time the ten-year capital strategy is completed to do the work projected by the physical needs assessment;

2. [a] A narrative describing the strategy for the construction and development of [the] new city[']s capital facilities and infrastructure for the ensuing ten fiscal years; the factors underlying such strategy including goals, policies, constraints and assumptions and the criteria for assessment of capital needs and how those factors align with each goal or citywide budget priority set forth in the comprehensive long-term plan prepared pursuant to subdivision d of section 20 or any new goals or budget priorities set forth in the amendment to the draft comprehensive long-term plan; the anticipated sources of financing for such strategy and ongoing maintenance costs through its lifespan, as applicable; and the implications of the strategy, including possible economic, social and environmental effects and ability for the project to remain functional through its lifespan

Commented [KB4]: For capital planning, there is a great need for increased interagency collaboration to gain efficiencies, save costs, and build in a more integrated way. A shared forward-looking plan will help, but there should be a (similar to the proposed oversight of the plan), an interagency capital decision-making team to force more integrated approaches. Citywide asset management tools that integrate better across agencies are also something alluded to in "planning together," but that could be added here

despite climate threats. This section shall include tables presenting the capital commitments that would need to be made during each of the ensuing ten fiscal years, by program category and agency, to complete the projects proposed therein, regardless of whether such funds will actually be available or committed in the applicable build years; and

[(2) tables presenting the capital commitments estimated to be made during each of the ensuing ten fiscal years, by program category and agency. Where relevant the anticipated sources of financing for particular categories and projects shall be specified; and]

[(3) 3. a map or maps which illustrate major components of the strategy as relevant.

c. Any project included in the ten-year capital strategy which addresses a goal or budget priority identified in the comprehensive long-term plan required by subdivision d of section 20 or that fulfill the capital investment needs of each community district as set forth in subdivision d of section 20, shall be so identified in the ten-year capital strategy.

[c] d. In the preparation of the preliminary ten-year capital strategy, the department of city planning and office of management and budget shall consider [(i)] 1. the citywide goals statement and the strategic policy statements of [the mayor and] the borough presidents [pursuant to section seventeen, (ii)] 2. relevant citywide, borough and community plans adopted pursuant to section one hundred ninety seven-a, 3. the physical needs assessment, and [(iii)] 4. the reports pursuant to section two hundred fifty-seven comparing the most recent ten-year capital strategy with the capital budgets and programs adopted for the current and previous fiscal years.

§ 17. Subdivision d of section 219 of the New York city charter, as renumbered and amended by a vote of the electors on November 7, 1989, is amended to read as follows:

d. The mayor shall require each agency to prepare and submit periodic reports in regard to the progress of its capital projects and projected capital projects for the succeeding ten fiscal years,

including schedules and clear explanations of any delays for particular projects and summary information on each agency's record on such matters. If such proposed, added, or projected project was not previously anticipated by the physical needs assessment or ten-year capital strategy, the agency shall provide an assessment of the necessary addition or deviation. Such reports shall be published at least three times each year: no later than 120 days after the adoption of the capital budget; no later than 30 days after submission of the preliminary capital budget; and no later than 30 days after submission of the executive capital budget. Copies of such reports shall be transmitted by the mayor to the council, the city planning commission, the community boards, the borough boards and borough presidents, and posted online on the website of the office of management and budget in a machine-readable format. Such reports shall include, for each project, the dates set in the adopted capital budget for the completion of scope, design, and construction and any changes in such dates.

§ 18. Section 228 of the New York city charter, as added by a vote of the electors on November 7, 1989, is amended to read as follows:

§ 228 Draft ten-year capital strategy. Not later than the first day of November [in each even-numbered year] 2024 and every five years thereafter, the director of management and budget and the director of city planning shall jointly submit to the mayor, the council, the borough presidents and the city planning commission a draft ten-year capital strategy prepared in accordance with the provisions of section two hundred fifteen.

§ 19. Subdivision a of section 230 of the New York city charter, as added by a vote of the electors on November 7, 1989, is amended to read as follows:

a. Not later than thirty days prior to the date set by the mayor in accordance with section two hundred thirty-one for the submission of departmental estimates, each community board shall

submit to the mayor and the appropriate borough president a statement of its expense budget priorities and a statement of its capital budget priorities for the ensuing fiscal year, in such form and containing such information as the mayor shall prescribe. The form prescribed by the mayor shall include (i) a method by which continuing support may be expressed by a community board for existing programs and capital projects; [and] (ii) reasonable limitations on the total number of expense and capital budget priorities which a community board may propose; and (iii) a requirement that the community board identify whether each such expense and capital budget priority was included in the most recent statement of community district needs required by paragraph 10 of subdivision d of section 2800 and the reason for identification of any new needs or reprioritization. The mayor shall provide each community board with reasonable notice of the date set for the submission of such priorities. The mayor shall ensure that representatives of each agency that delivers local services, or is responsible for capital projects, within any community district shall be available for consultation with the community board for such community district in the preparation of its statement of budget priorities.

§ 20. Section 234 of the New York city charter, as added by a vote of the electors on November 7, 1989, is amended to read as follows:

Not later than the sixteenth day of January [in each odd numbered year] 2025 and every five years thereafter, the city planning commission shall submit to the mayor, the borough presidents and the council a report containing its comments on the draft ten-year capital strategy submitted in accordance with section two hundred twenty-eight of this chapter, including such recommendations as it deems appropriate. The city planning commission, in the preparation of such report, shall, upon adequate public notice, hold a public hearing at which interested

organizations and individuals may express their opinions regarding the draft ten-year capital strategy.

§ 21. Section 248 of the New York city charter, as added by a vote of the electors on November 7, 1989, is amended to read as follows:

Not later than the twenty-sixth day of April [in each odd-numbered year] 2025 and every five years thereafter, the mayor shall issue and publish a ten-year capital strategy, prepared in accordance with the provisions of section two hundred fifteen of this chapter.

§ 22. Subdivision f of section 1110-a of the New York city charter, as amended by a vote of the electors on November 7, 1989, is amended to read as follows:

f. Not later than the first day of October of each year, commencing in nineteen hundred ninety and ending in 2022, the mayor shall transmit to the council estimates for the ensuing fiscal year and for each of the three succeeding fiscal years of the amounts, by agency and project type and, within project type, by personal services and other-than-personal services, necessary to maintain all major portions of the capital, consistent with the maintenance schedules on file with the mayor pursuant to subdivision e of this section. Such estimates shall be prepared or reviewed by the professional engineers or architects who prepared or reviewed such maintenance schedules or by professional engineers or architects registered in the State of New York and employed by the office of management and budget or the agencies involved. Such architects or engineers shall set forth in writing (1) their opinions as to the reasonableness of such estimates and whether such estimates have been logically derived from such maintenance schedules and (2) their recommendations, if any, for changes in such estimates. Such opinions and recommendations shall be centrally stored and accessible to any interested party.

§ 23. Section 1110-a of the New York city charter, as amended by a vote of the electors on November 7, 1989, is amended to add a new subdivision h to read as follows:

h. Not later than the first day of October 2023, and not later than October 1 of each year thereafter, the mayor shall transmit to the council and post online in machine-readable format, an updated recommendation of whether to repair, replace or maintain each capital asset or component thereof, or take no action for every item deemed to be in poor condition or to require urgent maintenance or replacement pursuant to the physical needs assessment mandated by subdivision j of section 20. Such recommendation shall be accompanied by a cost estimate for the work projected by the recommended action. Such recommendations and estimates shall be prepared in the same manner as the recommendations contained in the physical needs assessment and the estimates contained in ten-year capital strategy pursuant to paragraph 1 of subdivision b of section 215.

§ 24. Paragraph 10 of subdivision d of section 2800 of the New York city charter, as amended by a vote of the electors on November 7, 1989, is amended to read as follows:

(10) Prepare and submit to the mayor, [on or before a date established by the mayor] no later than September 15, 2022 and every two years thereafter, [an annual] a statement of community district needs in a form and containing such information as the mayor shall prescribe. The form prescribed by the mayor shall include: [including] a brief description of the district, the board's assessment of its current and probable future needs, [and] its recommendations for programs, projects, or activities to meet those needs, and a standardized qualitative and quantitative survey, including, but not limited to, ranked expense and capital budget priorities.

§ 25. Subdivision b of section 668 of the New York city charter, as amended by local law number 83 for the year 2017, is amended to read as follows:

b. The recommendation of a community board or borough board pursuant to subdivision a of this section shall be filed with the board of standards and appeals and a copy sent to the city planning commission. The board of standards and appeals shall conduct a public hearing and act on the proposed application. A decision of the board shall indicate whether each of the specific requirements of the zoning resolution for the granting of variances has been met and shall include findings of fact with regard to each such requirement. When the board of standards and appeals grants or denies an application for a variance or special permit, the board shall respond, as applicable, to any relevant recommendation included in the comprehensive long-term plan required by subdivision d of section 20 or filed with such board by a community board or borough board regarding such application. Inadvertent failure to comply with the preceding sentence shall not result in the invalidation of any board decision.

§ 26. Section 5 of the New York city charter, as amended by a vote of the electors on November 7, 1989, is amended to read as follows:

§ 5. Annual statement to the council. The mayor shall communicate to the council at least once in each year a statement of the finances, government and affairs of the city with a summary statement of the activities of the agencies of the city. [Such statement shall include a summary of the city's progress in implementing the goals and strategies contained in the most recent final strategic policy statement submitted by that mayor pursuant to section seventeen.]

§ 27. Sections 3, 8, 9, 15, 16, and 17 of this local law shall take effect February 7, 2023; sections 1 and 26 of this local law shall take effect April 15, 2023; sections 2, 12, and 20 of this local law shall take effect immediately; sections 4 and 7 of this local law shall take effect April 15, 2024; section 5 of this local law shall take effect December 31, 2022; section 6 of this local law shall take effect February 1, 2022; sections 10 and 19 of this local law shall take effect September

1, 2022; sections 11, 13, 14, and 25 of this local law shall take effect June 5, 2025, section 18 of this local law shall take effect November 1, 2024; section 22 of this local law shall take effect January 16, 2025; section 21 of this local law shall take effect April 25, 2025; section 23 of this local shall take effect October 1, 2023; and section 24 of this local law shall take effect September 15, 202



Attachment B: The Rise to Resilience coalition’s platform for New York City: Every Neighborhood, A Comprehensive Resilience Strategy for NYC. The Rise to Resilience platform for New York City originally targeted amending Intro 1620 to implement a comprehensive resilience framework. This has now been subsumed by Intro 2186, which we see as an opportunity to effect equivalent change.

EVERY NEIGHBORHOOD

A COMPREHENSIVE RESILIENCE STRATEGY FOR NYC

Background

Climate change is not abstract for our region. More than one million people across New York and New Jersey live at risk of flooding today. Yet, eight years after Hurricane Sandy, we are still unprepared. What is at stake? Your home, your business, your school, your park, your neighborhood, and your way of life. Delaying action is not an option. Now is the time to address the greatest threat to our region's future.

The Rise to Resilience campaign is today's roadmap for a more resilient tomorrow. Together we can build resilience, support our communities and economy and create a more equitable and just region.

Please join us at rise2resilience.org.

Issue overview

Hurricane Sandy and, more recently, the COVID-19 pandemic have underscored our region's lack of preparedness for crises with clear lessons for how the global challenge of climate change must be addressed locally. We need broad public awareness, government leadership, improved public infrastructure, evidence-based and people-centered policies and investments that prioritize frontline communities to avoid the enormous economic and social impacts of climate change.

ACTION: Strengthen Intro 1620 for a well-funded and comprehensive resilience strategy

The New York City Council should amend and pass Intro 1620, a comprehensive five-borough plan proposed by the Committee on Resiliency and Waterfronts, and/or seek additional legislation that accomplishes the following elements of a citywide strategy. This strategy must be funded adequately to be effective and support robust risk assessment, community engagement, planning and implementation.

Such a strategy should help the City to:

- > **Manage effectively:** clear authority, resources, and charge must be established to develop a regularly updated and people-driven comprehensive resilience strategy for the City that is informed by the NYC Panel on Climate Change (NPCC), coordinated across jurisdictions and steered by an expanded Climate Change Adaptation Task Force in close collaboration with the Waterfront Management and Environmental Justice Advisory Boards.¹ The City should clarify the public the agencies responsible for key resilience functions and conduct a public awareness campaign at the community or borough level to inform people about the threat of climate change and what is being done to mitigate those risks.
- > **Assess risk and vulnerability:** building from the in-development future flood risk maps and informed by the NPCC and local communities, the City should develop and map risk profiles (physical, social, environmental, economic vulnerability) throughout the 2100 floodplain to inform adaptive pathways and requirements for permits, planning, zoning, and capital projects.
- > **Engage in an equitable and community-driven engagement and planning process:** informed at the outset from an assessment of risk and vulnerability (and transparency about feasibility), the City should empower and meaningfully include community members in a robust engagement process to determine strategies at the local level. These efforts should be additive, building from existing community-driven plans if available, and an emphasis should be placed on the outsized risks posed to frontline and environmental justice communities. In doing so, the City should seek to reduce cumulative stressors to people and wildlife and meet NYC's Nature Goals.^{2,3}
- > **Implement equitable risk reduction strategies:** key starting points include building a long-term capital planning budget and framework that leverages public and private investment toward risk reduction, investing equitably through prioritization of risk reduction, low-income communities, communities of color and other socially vulnerable communities, and holistic approaches. In doing so, the City should work closely with federal and state partners to develop a pathway toward increasing resilient affordable and public housing in areas of lower risk and funding capital repairs and retrofits of existing stock. Building community resilience at the frontlines is also needed through establishing ongoing budgetary support for expanded social resilience and assistance provision (e.g., Flood Help NY). And finally, the City should establish a long-term funded voluntary buyout and floodplain restoration program.
- > **Integrate resilience into how buildings and infrastructure are designed, built and maintained:** develop a path toward requiring the City's Climate Design Guidelines (or integrate into code) for major public and private capital projects. Incentivize living shorelines and use of the resilient waterfront standard, WEDG. And, explore the use of building grades for resiliency, as is being done for energy efficiency.
- > **Invest in green workforce development** to lead to emerging jobs supporting wind power infrastructure, maintenance and management of flood mitigation measures, and construction and maintenance of stormwater infrastructure.

¹ Proposed is an expansion of the Climate Change Adaptation Task Force, which has to date focused on infrastructure and design guidelines, but has the authority for a broader purview (local law 42). Expansion should include agencies, frontline community representatives and practitioners in the fields of design, engineering, and ecology.

² Bautista, E; E Hanhardt; J Camilo Osorio, and N Dwyer. 2014. New York City Environmental Justice Alliance Waterfront Justice Project. Local Environment: The International Journal of Justice and Sustainability.

³ WE ACT For Environmental Justice. 2019. 2020 [New York City Policy Agenda, Campaigns & Initiatives](#).

REBNY Testimony | February 23, 2020

The Real Estate Board of New York to The Committees on Governmental Operations and Land Use and the Subcommittee on Capital Budget of the New York City Council Concerning Intro 2186 – Comprehensive Long-Term Planning

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY thanks the Committees on Governmental Operations and Land Use and the Subcommittee on Capital Budget for the opportunity to submit feedback on Intro 2186, which proposes to create a ten-year comprehensive planning cycle connecting budget, land use, and strategic planning processes.

We support the goal of comprehensive planning for the City of New York. With over a century of exposure to past efforts for comprehensive planning for the City, REBNY and its members have seen how plans such as the Lindsay Administration's efforts in the late 1960's, or more modest wholesale reworkings of the Zoning Resolution, such as the uniformed bulk proposal, have fallen short in addressing conflicting priorities between local needs and citywide goals. We should and must be willing and able to have a robust discussion around best practices.

We must plan better. New York City's success depends upon increasing our supply of housing, strong infrastructure, and a skilled workforce. Yet, the city has not kept pace with the housing needs of our existing population. This pressure on existing supply has driven up housing costs throughout the New York City region, which has impacted various races differently, due to disparities that include educational attainment and income. Our city remains deeply segregated despite its diversity strengths in people. As New York continues to fight COVID-19, we also need predictable and transparent city regulations to create a sustainable economic recovery, especially in development. The real estate and construction industries are vital to New York's livelihood, creating thousands of jobs and billions of dollars in tax revenue.

There are several laudable goals espoused in the proposed legislation, Intro 2186. Infrastructure, services, and land use planning should be coordinated; stakeholders at all levels of government should have appropriate input into the planning process; and New York City should strive to advance public and

land use policies that promote racial and economic equality. REBNY strongly believes that policy makers should make decisions based on facts and data so that there are better informed decisions about the City's growth and equitable development. There is also support for the overarching goal of addressing the inherent frustration surrounding ULURP that often fails to address the how, where, and why we develop in the city.

The challenge is process design. Past forays into such a comprehensive planning effort in New York City have failed for a variety of reasons while other world renown cities have accomplished a comprehensive planning effort. The engagement strategy will be critical and should be standardized. Otherwise, there will continue to be an unwillingness to account for experience, expertise, and a true balance of the needs of the individual with that of the greater whole.

The Council is not a mere bystander, but a principal in the current land use process. It has the power to turn down applications through ULURP, to modify zoning text and zoning map changes, to chart the course of streets and parks through the city mapping process, and to act, collectively as a body, for the well-being of the New Yorkers it represents.

This legislation does not address this underlying principle. The historical precedence of councilmember deference is seen as one of the most cherished powers provided to an individual seat in the body. While this proposal provides for a vehicle to remove Council approval from the process, it is disingenuous to imply that future councilmembers would not want to continue to call up discretionary applications and nothing in this process prevents nor curtails the current practice of a single councilmember's vote. As a result, this instead introduces an additional layer of review for discretionary applications, which already range in cost from the hundreds of thousands of dollars to millions and doesn't account for the fact that goals and circumstances will undoubtedly change within the 10-year timeline, creating the need for applications that don't exactly align with what was already envisioned.

Along with member deference potentially undermining any citywide planning effort, the proposal's failure to establish a framework to resolve competing priorities between localized community needs and the citywide goals will result in a document that does neither. There are also serious implementation concerns regarding cost, timeliness, accuracy and availability of data, and lack of comparative studies for new types of analysis. If you take the typical cost of an environmental study done for a recent neighborhood wide rezoning and multiply it to take into consideration the number of studies this proposal requires, it easily amounts to over \$400 million, if not more. Serious consideration must be paid as to whether the benefits from such a potentially large expenditure are warranted given the fiscal straits the city finds itself in.

Finally, there is no process to reconcile existing community driven plans, other statutory strategic plans, and pending legislation that looks at discrete challenges such as fair housing is unaccounted. This plan also fails to account for the sweat equity already put into existing 197-a plans, and more recent initiatives and community bargains such as those in East Harlem and Brownsville. It is also unclear how this would interact with pending legislation such as the racial disparity impact study or the city's affirmatively furthering fair housing effort, *Where We Live NYC*. This document does not incorporate the

“master plan for streets “previously referenced by the Speaker, and/or municipal control or lack thereof of the transit network.

There are also jurisdictional and potentially legal issues related to current charter granted powers and the lack of jurisdiction over significant parts of the built environment, such as mass transit. Unlike many of the cities that have undertaken comprehensive plans, New York City lacks jurisdiction over multiple land uses and areas of the city. For example, transportation infrastructure is the lifeblood of the city, yet it is largely in the hands of the state. Further explanation is needed as to how to enact productive institutional arrangements with these state agencies such that the transportation network may sufficiently grow with the City

Moreover, the legislation removes the Department of City Planning (DCP) and the City Planning Commission (CPC) from any role in the comprehensive planning process it establishes and has their responsibility shifted to the Mayor’s Office of Long-Term Planning and Sustainability (OLTPS) and the newly created Long Term Steering Committee (LTSC). The new structure appears to shift power away from the Mayor’s Office, the one branch of government that has a truly citywide perspective, and to the Borough Presidents, whose votes on the LTSC have the power to decide whether the Mayor or the City Council will prevail on any individual issue. Taking power away from the Mayor’s Office appears to be inconsistent with the legislation’s goal of creating an integrated plan for the City as a whole.

As for Community Boards, after agonizing over five separate planning documents, will have the decision unilaterally made by their councilmember without justification to the who or why, and then leave final authority with an individual with no professional requirements to reconcile the nearly 300 distinct documents generated from this process into a single, cohesive plan. Everyone will have to make sense of an environmental review document that examines hundreds of permutations of the land use scenarios.

Surprisingly, this proposal has been painted as a boon to the real estate industry. It is assuredly and most definitely not. Others have sought to paint this proposal with progressive bona fides to grass roots community planning. It is most definitely not that either. While in some instances this semblance of compromise or balance may strike the tone of sound policy, this is not one of those cases.

With this said, we must work together to find opportunities to plan better, and we hope that this bill language will be significantly revised with robust engagement and discussion to do so. Thank you for the opportunity to share these concerns with the committees.

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RPA testimony in support of Intro 2186-2020 to require a comprehensive plan for New York City.

February 23, 2021

Thank you for giving us an opportunity to provide testimony on this important topic. [Regional Plan Association](#) is a not-for-profit research, planning and advocacy organization that has served the New York metropolitan region for nearly a century. Our [Fourth Regional Plan](#), released in 2017, provides a comprehensive, values driven framework for addressing the many challenges our region faces to make it more equitable, healthy, sustainable and prosperous for all. Speaker Johnson's Intro 2186-2020 bill to create a comprehensive plan for NYC would improve upon our existing ad hoc approach to planning and center racial equity - and we're happy to support this effort.

We have long supported reforms to our land-use process to make it more responsive to the needs of our communities and be more proactive in addressing long-term challenges that cross boundaries. Issues like housing cost burden, climate change impacts, improving the transportation network and creating equitable economic development cannot be tackled in a piecemeal fashion. We need a framework that helps to align regional, citywide and local needs and helps to rebuild trust in our land-use process. Too many promises have not been realized and we have failed to deliver needed investments and opportunity, especially in low-income communities of color.

In January 2018, we worked with Councilmember Antonio Reynoso and Manhattan Borough President Gale Brewer, along with dozens of stakeholders to release our [Inclusive City](#) report - a set of recommendations to reform our land-use process to make it more inclusive and improve outcomes. A major recommendation of this report was to create a comprehensive planning framework so that we could be more proactive in planning for our City. Subsequently, the Association for Neighborhood and Housing Development (ANHD) worked with us and other policy and advocacy groups to form the [Thriving Communities Coalition](#) and advocate for land-use reforms during the Council's 2019 Charter Reform process. We expected that after hearing from such a wide array of stakeholders about the need for land-use reform, specifically the need for comprehensive planning, the commission and its staff would have crafted a proposal on how best to develop a citywide comprehensive plan.

That didn't happen. And the task was left to our legislative body to help reconcile all the different planning processes we currently have. Speaker Johnson's effort through this bill is an important step to help us get to a holistic, predictable way of doing things in this City. This bill provides a solid framework to better coordinate planning, create more transparency and accountability, and address investment needs where they are needed most.

We will be grappling with the consequences of our current health, economic and social crises for years to come. Working together to create a citywide vision that reflects our needs and aspirations for a more prosperous City requires a bold step like this. The proposed comprehensive planning framework improves upon the status quo, will cut down duplicative efforts, improve government accountability, and create a framework to rebuild civic trust.

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Trying to tackle the complexity of planning in NYC through one piece of legislation is not easy. This bill doesn't solve all our problems, but there are a few ways that the bill can be improved to help better realize its goals:

1. **Balancing Top-Down and Bottom-Up:** This proposal helps proactively engage communities and have them share their vision for what they want for their City and their neighborhoods. That said, community boards do not have the resources they need to meaningfully engage in such a complex and long-term process. Additionally, the rules governing the adoption of a community board's land use scenario hurt the intent to rebuild trust in the planning process. We believe that the following changes could help improve this issue:
 - **Charge the Civic Engagement Commission with Shepherding the Community Process** - The intent of this commission aligns with our call for an Office of Community Planning. The commission should be charged with sourcing best practices and technical expertise to support community boards during this process, as designated in the charter. The engagement process should be led by the commission, who in turn should ensure that community leaders are actively involved throughout the process.
 - **Fund and Train Community Boards to Educate around the Plan** - Community boards in their current form do not have the resources or capacity to educate their communities about something as complex as a comprehensive plan. A strict minimum budget should be committed that reflects the effort that will be needed to meaningfully engage community boards in a planning effort of this magnitude.
 - **Develop Outreach Requirements** - We can't force everyone to participate, but we can set mandates that engagement and input reflects the range of stakeholders and diversity of a given district. There are plenty of standards that can be used to quantify who should be included in the process and best practices for engaging. There should be a commitment to ensuring a true representation of New York is helping in the visioning process, otherwise we risk having only those with power and privilege participating.
2. **Accessible Information:** The conditions of the city report should be a critical planning tool to inform the public and expand our understanding of what long-term investments the City needs. Better information and the ability to compare across different districts and look at citywide challenges should create an incentive for dialogue and progress. However, as we have seen through the CEQR process, complicated information provided in an ad hoc way does not build trust or understanding. We believe some steps are needed to ensure the public trusts the data and analysis being used:
 - **Full Transparency** - Make sure that sources and methodology are understood and accessible by the public. Researchers and advocates alike should be able to understand how needs are being calculated, and should be able to replicate findings.

- **Interactive Platform** - If the City is committed to allowing communities to develop their own responses to the citywide needs, tools to help communities look at different options and their impacts should be created. Technology has evolved and it is easy to implement digital tools that help facilitate this kind of scenario planning exercise. RPA and MAS have been working on a citywide index that would help develop an objective baseline of information to start a dialogue, and are happy to discuss how this work could inform the comprehensive planning process.
 - **Method for Off-Cycle Changes** - In any given year circumstances could change that throw the entire vision into question. The current bill calls for reporting about deviations from the plan which help address this issue a bit. However, a method for triggering a revision based on some set of clear thresholds, or based on critical new information or comprehensive strategy, could help keep the plan more nimble in off-years. This is a slippery slope so there would have to be a clear framework for when revisions are triggered, but this could help address the concerns around the need for the NYC planning process to be “nimble”.
3. **Interagency Coordination and Capital Construction:** The plan creates a foundation to better align planning and the capital budgeting process through the ten-year capital strategy by requiring agencies to provide cost-estimates of necessary work regardless of whether funding is available. This will help the City understand the types of investments and funding necessary to address communities that have been neglected. However, true interagency coordination is not done through reporting alone. Real collaboration amongst City agencies is needed to reduce costs and inefficiencies and address some of the structural challenges we face. Incentives to encourage better coordination around capital and operating needs across agencies would serve the underlying purpose of the legislation.

Final Thoughts:

After 9/11, RPA helped organize the [Listening to the City](#) effort, which brought thousands of New Yorkers together to think about the future of the World Trade Center site. It was an opportunity to look past the tragedy and to think about what that area should represent for all of us. Coming out of a pandemic that has claimed too many lives and exacerbated many of our challenges, we think this effort would come at the right time to center racial equity in our planning process and work with all New Yorkers to envision a better future for the entire City.

We know that City government needs to be nimble so that when crises arise, our leaders are not hamstrung in adapting services and projects to meet the moment. However, we have structural challenges to address - segregation, climate change, aging infrastructure and rising inequality - that are a result of decades-old decisions that have created disparities across our City. This bill to require comprehensive planning in NYC improves our existing framework and would provide all New Yorkers a better understanding of where we're going. Thank you again for your leadership on this proposal. We hope it moves forward and look forward to working together to make it a success.

Testimony from the Association for Neighborhood & Housing Development to the City Council Committee on Governmental Operations on Comprehensive Planning Legislation (Int. 2186-2020)

February 23, 2021



The Association for Neighborhood & Housing Development (ANHD) is a nonprofit organization whose mission is to build community power to win affordable housing and thriving, equitable neighborhoods for all New Yorkers. Our members include more than 80 neighborhood-based affordable housing and equitable economic development organizations across New York City, and we use capacity-building, organizing, and policy advocacy to advance our mission.

ANHD has long advocated for comprehensive planning as one fundamental piece of a more equitable approach to how we plan for our city. The disparate impacts of Covid 19 on communities of color and the urgent demands for racial justice coming out of the Black Lives Matter movement and beyond have only made this need clearer. In this long overdue moment, when we as a city and a nation are attempting to reckon with systemic racism, we must examine every aspect of our local government for injustice. This includes planning and land use.

We believe comprehensive planning is a crucial step towards furthering this goal: moving away from our current, inequitable approach to planning towards one centered on advancing racial and socioeconomic equity. We commend Speaker Johnson and the City Council for beginning this effort. If done properly, comprehensive planning can help further the principles we are proud to support with the Thriving Communities Coalition (TCC), who have been leading the charge for equity in planning and land-use.

Comprehensive planning is about creating a more equitable approach to planning centered on reducing disparities and disinvestment in communities of color and ensuring a more equitable distribution of development and investment citywide. ANHD and our members have fought for years to promote equitable access to thriving neighborhoods for all New Yorkers, understanding that this is not just a question of where folks have access to move into, but just as crucially in where they have the right to stay. We have seen first-hand how our city's planning processes are failing us. Our current system for making land-use, budgeting, and policy decisions perpetuates a landscape of inequitable development and investment that fuels displacement on the one hand and exclusion on the other. Low-income communities of color suffering the effects of decades of disinvestment are pushed to accept destructive rezonings in order to have their existing needs addressed, while whiter and wealthier communities are largely exempted from doing their part to address citywide needs. Under the de Blasio administration, every single neighborhood rezoning that has been approved to date has been in a low-income community of color. The city's budgeting process lacks transparency and accountability, fails to address identified neighborhood needs or historical disparities, and tends to neglect longer term and larger scale investments.

Comprehensive planning is a crucial step towards moving beyond the current dynamic where destructive rezonings are pushed in low-income and BIPOC communities, which continue to suffer from historic and ongoing disinvestment, while wealthier and whiter neighborhoods frequently block affordable housing and shelters. Comprehensive planning moves us in the right direction with a tangible framework and goalposts for equitable planning by:

- Enshrining explicit equity principles in the planning process
- Prioritizing urgent capital budget investments to address existing neighborhood needs, regardless of whether there is a proposed rezoning

- Directing new growth and development away from areas with high displacement risk and towards neighborhoods where little or no affordable housing exists today
- Increasing transparency by establishing one guiding planning process with new and robust analyses of needs, risks, and opportunities across communities
- Creating greater opportunity for proactive community participation earlier in the planning process
- Requiring cross-agency coordination and longer-term planning in city government

In addition, we believe that comprehensive planning would have a tangible impact on a number of issue areas of vital importance to ANHD and the city as a whole.

Affordable Housing Development & Housing the Homeless

The citywide and local analysis done through comprehensive planning would identify and set targets to encourage equity in how different neighborhoods contribute to meeting citywide needs - like deeply affordable housing - and would facilitate investment and land use changes that help meet those needs over other types of development, such as luxury housing. We believe this would increase the opportunity for building affordable housing and housing for the homeless in more communities across the city, especially those that have the de-facto power to say no today, by directing new growth and development away from areas with high displacement risk and towards neighborhoods where little or no affordable housing is available. This would happen in part through allowing projects in alignment with the comprehensive plan - which would likely include most truly affordable housing development - to go through an expedited approval process. At the same time, in neighborhoods that have been identified as having high displacement risk, more affordable housing production could be prioritized over unregulated development through promoting targeted strategies such as mission-driven development, increased subsidy and the use of public land.

Local Rezoning

Comprehensive planning would begin to break the cycle that too often requires low-income, BIPOC communities to accept a rezoning in exchange for long overdue investments. The urgent budget needs of community districts - especially those that have faced historic disinvestment and inequity - would be prioritized regardless of whether there is a proposed rezoning. At the same time new development would be prioritized for areas with low displacement risk and high opportunity, meaning moving away from rezonings that fuel displacement in low-income BIPOC communities where the new housing remains out of reach for most residents.

Jobs & Equitable Economic Development

By setting explicit goals around reducing racial and economic inequality, comprehensive planning would move us towards a more equitable model of economic development that considers not simply the number of jobs a project or policy would bring, but the *types* of jobs, and *who* they would serve. Comprehensive planning based on assessing local and citywide needs would help shift us towards a proactive approach, rather than always reacting to private companies and developers' ideas. This could mean prioritizing the preservation and growth of *industrial jobs* and *small businesses* as a tool for equity, through a combination of: long-term investments and policy initiatives identified in the plan; land use scenarios for each community district that prioritize their preservation and growth; and using the mandated review of the city's zoning resolution to make long needed updates to preserve and grow industrial uses and encourage or require small business space in new developments.

Climate Change

Comprehensive planning requires the City to center climate change mitigation as a key consideration in the analysis and targets for how development and investment should be distributed across the city. Cross-agency coordination and longer-term planning will help ensure that complex and large-scale investments occur, and that we invest in under-resourced frontline communities' resiliency.

Recommendations for strengthening Intro 2186

Intro 2186 is an important start to advancing comprehensive planning, but it must be strengthened to ensure that its equity goals are truly met. Below we outline our recommendations - formed in collaboration with TCC - to better ensure future actions are in alignment with the plan, increase transparency as to how decisions are being made towards advancing equity, and fortify true, robust community participation in the comprehensive planning process.

Ensure that Comprehensive Planning will prevent displacement and facilitate truly affordable housing

- Expand the stated goals of the plan to include creating more affordable housing in areas where it is currently lacking
- Require that analysis and goal-setting be specific about the types of housing - affordability levels, unit sizes, etc - that should be prioritized to address neighborhood and citywide needs; include homeless data and supportive housing need in the Conditions of the City Report
- Include supportive housing in the plan's framework, and treat it as all other residential, affordable housing is treated; include supportive housing alongside affordable housing in neighborhood targets and budgets
- Include community district diversity indexes in the data to be measured and tracked over time

Ensure that Comprehensive Planning results in Equity in Budgeting

- Increase transparency around how budgeting decisions respond to the comprehensive plan through tools like an equity matrix and/or racial disparity reports
- Require a budget equity assessment to complement the Mayor's Management Report
- Create public tools tracking where capital budget investments are made across geographies

Fully include NYCHA residents and land in Comprehensive Planning

- Integrate NYCHA residents and NYCHA capital assets into the comprehensive plan, and apply the same processes regarding compliance
- Ensure coordination between NYCHA's internal agency plans for campus improvements and the Comprehensive Plan
- Conduct strategic and specific engagement of NYCHA residents in the comprehensive planning process

Ensure that comprehensive planning promotes inclusive, equitable Climate Resiliency Planning

- Center environmental justice and climate resiliency in comprehensive planning analysis and targets
- Analyze and plan for areas where fortification/retreat/changes in use may be necessary due to climate change, and/or where sustainability plans are needed, and prioritize the resiliency needs of frontline communities in related capital budgeting and in local growth or reduction targets

Ensure equitable access to robust community planning and public engagement in the comprehensive planning process

- Provide resources - including funding and technical assistance - to local communities to support engagement in the comprehensive planning process, prioritizing neighborhoods whose residents are traditionally underrepresented in planning and/or that have experienced historic disinvestment
- Mandate robust outreach in each district to achieve overall participation that approximates the population distribution of the district and includes non-residential stakeholders with a wide range of interests
- Ensure that communities have the opportunity and support to generate draft land use scenarios from the bottom-up, and that the results of community engagement in the process influence the outcomes, within the overall framework and targets set by the Citywide Goals Statement

- Require that all agencies, committees, etc involved in public engagement throughout the comprehensive planning process be trained and supported to follow best practices for meaningful community participation
- Ensure that the Long Term Planning Steering Committee, Borough Committees, and other relevant bodies reflect the diversity of the population at both citywide and neighborhood levels by incorporating representatives from community, racial justice, and environmental justice organizations, and ensuring representation for NYCHA residents, homeless New Yorkers, and other frequently marginalized populations

Ensure that the comprehensive plan has a maximum impact, meaningfully shaping future zoning, development, investment, and policy in NYC.

- Tie the zoning resolution to the comprehensive plan, or ensure the legislative language facilitates doing this later through other means if necessary
- Clarify that the comprehensive plan should be considered authoritative and persuasive evidence of the city’s land use policies (ie. a central component of “the well considered plan”) in the bill and/or committee report
- Consider codifying the comprehensive plan’s land use components with a Future Land Use Map to indicate intended general uses (as distinct from zoning designations) in the plan in advance of detailed zoning changes
- Require the Mayor’s Management Report to provide publicly accessible monthly or quarterly updates on actual development and investments once a comprehensive plan is approved or revised, with sufficient detail that elected officials and the public can understand the degree to which the comprehensive plan is being put into practice
- Mandate periodic evaluation or audit of the comprehensive planning process and results by an independent agency or office outside the Mayor’s control; the audit could include determining how closely the development scenarios in the adopted plan adhere to community proposals, how well the adopted plans promote equity outcomes/stated goals of the legislation, extent to which actual development followed the scenarios, whether GEIS & EIS accurately assessed impacts, and community members’ experiences with the process & ability to impact outcomes.

If these recommendations can be incorporated, we believe comprehensive planning legislation can offer a meaningful path forward from the destructive status quo. We are excited for this necessary legislation; we commend Speaker Johnson and the City Council for advancing this bill and we are looking forward to working together to make it as effective as possible, and to ensure that it accomplishes its intended goals for advancing equity in our city.

For further background and reference we are including the links below to our work on the disparate impacts of Covid 19 on communities of color and the role that our current planning system has played in perpetuating these disparities

- Frontline Communities Hit Hardest By Covid 19 - <https://anhd.org/blog/frontline-communities-hit-hardest-covid-19>
- Land Use Decisions Have Life and Death Consequences - <https://anhd.org/blog/land-use-decisions-have-life-and-death-consequences>
- Plan for People of Color - <https://anhd.org/blog/plan-for-people-of-color>



THE ADVOCATE FOR NEW YORK CITY'S HISTORIC NEIGHBORHOODS

Statement Before City Council Joint Committee

February 23, 2021

Regarding Introduction 2186 – requiring a long-term plan for New York City

I am Simeon Bankoff, executive director of the Historic Districts Council. HDC is the citywide advocate for New York's historic neighborhoods and we represent a constituency of over 500 neighborhood based community groups throughout all five boroughs.

We are submitting a broader statement which addresses our concerns in more detail but this proposal fails in 3 major ways.

This Bill sidelines community guidance

Many communities around NYC have spent years and in some cases decades attempting to shape the future of their neighborhoods to reflect their hopes and desires. In almost all these cases, the results – when they have been implemented - are the products of compromise and negotiation. No community is actually thrilled with the plans which they currently have; be it contextual zoning, historic district designation or economic redevelopment plans. However, through the current, imperfect system, part of the protections and amenities which neighborhood residents desire have been adopted and hopefully will come to pass.

This proposal will sideline community participation by creating even more meetings which will result in advisory opinions AT BEST. The system of community participation does not mandate any decision-making role for the New Yorkers it will affect and instead buries them in essentially meaningless time-wasting exercises. If the City wishes to do this, we already have I97a plans – we don't need another way to sideline community planning.

Lack of Balance

This plan proposes to streamline development proposals which align with its priorities. Meanwhile, existing zoning already exists and WILL CONTINUE TO allowing as-of-right development to happen throughout the city with the bare minimum of guidance.

This plan does not correct the basic imbalance of power which developers wield over the shape of our city. Instead, it gives them another power tool to drill through the fabric of existing neighborhoods. This plan, if adopted, would actually add to developers' options when contemplating speculative plans – they could:

I) use as-of-right zoning

- 2) use the growth formula baked into this plan or
- 3) apply for a special permit or request a zoning change

How does this benefit New Yorkers who wish to have a say in what their city is? And for what? The promise of Community Benefits? Privately funded schools or parks? Room for a library which doesn't have a baseline budget?

When one uses a crane to lift a heavy load – it needs to be balanced and secured to the ground or it will topple over. Where is the balance in this plan? Where are the drilled in anchors which ensure that what you're building won't fall over due to its own weight?

Unfunded Mandate

Finally, by institutionalizing the long-term land use powers of the Mayor and the Council, how does this bill interact with the restricted term limits of those officials? As the Comprehensive Long-Term Plan is conceptualized in 10-year periods, but grants its ultimate authority to officials with 8-year life spans, how will this structure actually function? What guarantees do we have that this long-term project will remain adequately and consistently funded? Will newly-elected officials will have an adequate understanding of a plan which they will only oversee a portion of?

There will be no ribbons to cut on this masterplan and meeting years-old projected benchmarks is hardly thrilling stuff. How will the continuity needed to insure its success be secured in a governmental world which is upended every 8 years?

We are preservationists. By training and inclination, we plan for the long term; that is what preservation is. We believe that long-term comprehensive planning by a municipal body, by New York City, is a laudable goal. However, this bill would basically rezone the entire city every ten years through a central authority, with local communities only given the option of an advisory opinion of three different versions of the proposed rezoning for their community. This dramatically diminishes the leverage and role of local communities in the planning process, and undoes many of the post-Robert Moses reforms put into the NYC planning process. The structural flaws in this bill and its implementation make it an inadequate roadmap to New Yorkers' best future.

On Tuesday, February 23rd, the City Council will be holding a public hearing on [Intro 2186](#), which proposes a requirement for the City of New York to undertake [periodic comprehensive planning for all areas of the city and details a completely new process for the city to accomplish this new task](#). The new comprehensive plan for the city will be generated from and overseen by the Director of [the Office of Long-Term Planning and Sustainability](#) (OLTPS), a Mayoral agency formed in 2006 which was previously responsible for the production of the Bloomberg Administration's PlaNYC (released in 2007 and updated in 2011). The new Comprehensive Long-Term Plan (CLTP) is to be informed by data collected by the City which will track:

- racial and socio-economic disparities
- access to opportunity
- displacement risk
- short- and long-term risks to the City and its vulnerable communities
- the impacts of prior development and budget decisions and
- current and projected infrastructure needs

OLTPS will then consult with various community stakeholders before presenting a CLTP to the City Council. The CLTP, once adopted, will streamline development proposals which are in accord with its priorities, essentially making them “as of right” for the duration of the CLTP, which will be revisited every 10 years. Council members will retain the right to bring specific proposals for public review and planning proposals not in accordance with the CLTP will continue to use the existing [Uniform Land Use Review Procedure](#) (ULURP).

As organizations dedicated to protecting New York City's historic buildings and neighborhoods by empowering New Yorkers to have a voice in the future of our city, we [LIST OF GROUPS] have studied this proposal and have many questions and concerns about it.

To begin with, we believe that a **full public engagement process has not been undergone**. While the Council has made the authors of this legislation available for presentations in recent weeks, a proposal of this magnitude which purports to empower communities should present to each and every Community Board at the very least. This sort of action is precisely why community boards, originally called community planning boards, were created to begin with. This is especially important in that this bill, if adopted, proposes a great deal more work for the volunteer Community Boards. **Will the Community Boards be provided adequate resources to properly engage with this additional work?**

Furthermore, this bill does not empower the communities it purports to serve. At each juncture in the CLTP process, community stakeholders have, at best, advisory roles. In **the final adoption of the CLTP, the Director and the Council explicitly have the authority to**

overrule community planning and in fact, the community is required to consider three different proposals for their community district provided by the OLTPS for their advisory opinion. At the same time, community voices are only advisory under the existing ULURP law, which proposals will be continuing to use. As one of the principal complaints we hear from communities is that the planning process in New York City is already weighed in favor of developers, **how does layering another level of bureaucracy which sidelines community input improve planning?** How will the reduced public review of proposals which align with the CLTP benefit the communities the CLTP is meant to serve?

Currently development in New York City, especially private development, operates under the existing Zoning Resolution (ZR), which is an admittedly imperfect planning instrument. There are oversights and loopholes throughout the ZR, the most egregious recent example are the yawning mechanical voids which have appeared in buildings proposed and built in Manhattan's high-density residential districts. Despite widespread agreement that such flaws must be fixed, this proposal does nothing to fix them other than require the OLTPS to examine the ZR as part of its data review. **What role does the Department of City Planning (DCP) play in all this planning?** As the expert agency which determines the shape of New York's future, it would seem a proper and appropriate use of municipal resources for the agency to take an active role in this initiative. Furthermore, the City Planning Commission (CPC) provides a broader representation for oversight of the ZR than the proposed long-term planning committee which will provide an oversight role for the OLTPS. Even if their representative qualities were made equivalent, why create duplicative but conflicting structures?

In practice, this bill will not correct the perceived flaws in how development gets approved in New York but instead will encourage eventual collusions between municipal objectives and procedures. Along those lines, the bill does not at any point consider the existence of designated New York City landmarks and historic districts. Looked at on a municipal scale, the amount of properties which fall under the oversight of the Landmarks Preservation Commission (LPC) is negligible, under 4% citywide. However, as opponents of landmarks are fond of saying, **many of our city's designated properties fall within transit-rich areas in our city's core**, areas which are explicitly targeted in the bill. The reasons for this inequity in designation have more to do with the city's historic development patterns than implicit bias, although the LPC has been trying to redress that failure in recent years.

The focus on areas of rich opportunity could have an unforeseen consequence on our city's future. By design, density already follows transit lines, many of which have not changed in decades. If these neighborhoods are deemed the areas of opportunity, it only further favors highly-developed districts and leaves the less-served neighborhoods areas increasingly less served. As described, these dense areas with transit should take additional density and by

extension, be the first in line for the new schools and infrastructure resources that the city builds. **This will do nothing to improve the comparatively less-advantaged areas but further starves them, displacing residents to statistically “better” neighborhoods** – which will require more resources as population and density further increases. This is not a scenario which leads to greater equity. **How does this plan guard against the consequences of new development which might meet growth goals but damages neighborhoods? Why are growth goals a priority for this bill?**

Finally, by institutionalizing the long-term land use powers of the Mayor and the Council, how does this bill interact with the restricted term limits of those officials? As the CLTP is conceptualized in 10-year periods, but grants its ultimate authority to officials with 8-year life spans, how will this structure actually function? **What guarantees do we have that this long-term project will remain adequately and consistently funded?** Will newly-elected officials will have an adequate understanding of a plan which they will only oversee a portion of? There will be no ribbons to cut on this masterplan and meeting years-old projected benchmarks is hardly thrilling stuff. How will the continuity needed to insure its success be secured in a governmental world which is upended every 8 years?

We are preservationists. By training and inclination, we plan for the long term; that is what preservation is. We believe that long-term comprehensive planning by a municipal body, by New York City, is a laudable goal. As preservationists, we believe that long-term comprehensive planning by New York City is a laudable goal. However, this bill would basically rezone the entire city every ten years through a central authority, with local communities only given the option of an advisory opinion of three different versions of the proposed rezoning for their community. This dramatically diminishes the leverage and role of local communities in the planning process, and undoes many of the post-Robert Moses reforms put into the NYC planning process. The structural flaws in this bill and its implementation make it an inadequate roadmap to New Yorkers’ best future.



February 23, 2021

STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY BEFORE THE NEW YORK CITY COUNCIL COMMITTEES ON GOVERNMENTAL OPERATIONS AND LAND USE AND THE SUBCOMMITTEE ON CAPITAL BUDGET REGARDING INT 2186 – 2020, REQUIRING A COMPREHENSIVE LONG-TERM PLAN

Good day Chairs Cabrera, Salamanca, Rosenthal and Councilmembers. I am Andrea Goldwyn, speaking on behalf of the New York Landmarks Conservancy. The New York Landmarks Conservancy is a 47-year old organization dedicated to preserving, revitalizing, and reusing New York's historic buildings and neighborhoods.

We have long advocated for comprehensive planning as a remedy to the unfair, piecemeal way that New York zones without planning. We called for it in front of both of the recent Charter Revision Commissions. But this legislation is not the answer. We recognize that there is good intention in this plan, but based on the process and the substance, we ask you to reject it.

The bill has moved ahead with lightning speed and relatively little community outreach. There needs to be more explanation of how it will work in the real world where developers drive land use actions and elected officials are term-limited. As we enter a dark financial era, there are no dedicated sources of funding for the legislation's complicated process or ambitious goals.

For a proposal called "Planning Together," this bill is being pushed through with limited outreach or community buy-in. It was released days before Christmas as a completed document. We thank the Speaker's staff for making a presentation to us and our colleagues. They have been to many meetings, but only to groups that requested them. Every community board should hear it before you make a decision.

Most of the conversation has been about the complex steps that will lead to the plan, without a robust discussion of what the plan will do. If it does transform the way New York administers land, we need more details. But if the vast majority of development is still as-of-right, is this just another layer of cumbersome bureaucracy?

At the Charter Revision Commission hearings, multiple City agencies emphatically rejected comprehensive planning. What is their change if the legislation is approved? Especially the Department of City Planning? Will the generic EIS and Council call-up provision reduce already limited community input? How does the proposal anticipate the role of term-limited elected officials? Council members will leave midway through the process. New mayors with new priorities will appoint new directors before the long-term plan is complete or in effect. All of those details need to be spelled out now.



THE NEW YORK
LANDMARKS
CONSERVANCY

How will this extensive planning process be funded? Right now, community boards need help to retain consultants and navigate complicated land use proposals. If the money is available, can they access it?

The plan has been described as “comprehensive upzoning.” Why are growth goals the priority? How does the plan guard against new development that meets growth goals but damages neighborhoods?

On the capital budget side, the framework report calls out the Administration’s neighborhood rezonings for tying upzoning to infrastructure improvements. Why does this plan link them again? Infrastructure investments and sustainable neighborhoods should come before growth. Every part of the City has major needs right now. Start surveying and planning for them now, instead of waiting four years.

We regularly hear from our constituents asking why another new luxury condo supertall is rising on their street, without any community input, any discussion of impacts on infrastructure, and any analysis of how the luxury units will spur displacement. Yes, even in historic districts, there are people of all income brackets, there are rent-regulated units, and there is displacement.

New York needs comprehensive planning to address these concerns. We envision comprehensive planning that helps everyone. It should be guided by experts and powered by people. It should bring opportunity and housing security to every neighborhood. But this plan is top-down. It limits community participation. And it continues the current Administration’s solution of building its way out of systemic problems.

We urge the Council to reject this proposal. New York needs comprehensive planning but we don’t need this plan. Thank you for the opportunity to express the Conservancy’s views.



**Testimony of Carlos Castell Croke
Associate for NYC Programs
New York League of Conservation Voters**

**City Council Committee on Government Operations and Committee on Land Use
Introduction 2186
February 23, 2021**

Good afternoon, my name is Carlos Castell Croke and I am the Associate for New York City Programs at the New York League of Conservation Voters (NYLCV). NYLCV represents over 30,000 members in New York City and we are committed to advancing a sustainability agenda that will make our people, our neighborhoods, and our economy healthier and more resilient. I would like to thank Speaker Johnson along with Chairs Salamanca, Cabrera and Rosenthal for the opportunity to testify today.

We all know that the next few decades are going to be critical in the fight against climate change. Drastically reducing emissions, pollution and waste as soon as possible will reduce the severity of climate-induced disasters that are growing in frequency, but there is no doubt that we must still prepare for more severe weather and flooding now. We must ensure that our infrastructure is not only built with climate resiliency in mind, but also in ways that place a high value on sustainability. This kind of foresight requires comprehensive and consistent planning to achieve.

New York City has been effectively setting goals to fight climate change in PlaNYC under Mayor Bloomberg and OneNYC under Mayor de Blasio. Documents like this are valuable tools for policy makers, advocates and the public to better understand how New York City is doing on its climate goals and what policies the Administration is considering moving forward. However, OneNYC is not a formal city plan and does not necessarily look holistically at what new challenges will arise in the years to come and how City policies interact with each other. Therefore, NYLCV supports the passage of Intro 2186, which would require the Office of Long Term Planning to regularly produce a comprehensive long term plan.

This legislation will ensure that the city is continuously setting goals to become more sustainable and protect ourselves against climate disasters, and regularly evaluating those goals and the programs we will implement to achieve them. While Intro 2186 focuses on many aspects of the city's infrastructure, we are especially glad to see that it will establish citywide targets for open

space, resiliency infrastructure, and public transportation. All three of these areas are crucial for reducing emissions and protecting New Yorkers from climate change. Furthermore, we know that New Yorkers already have the lowest per capita carbon emissions in the country because of our abundance of walkable streets, and public transportation network, and relatively energy efficient multifamily housing. Meeting our state climate goals requires making those benefits of density available to everyone who wants them. While much of this will mean more transit-oriented, mixed use development in the suburbs, it also means making New York a city that is open and affordable to anyone who wants to live here. Proactively figuring out how to sustainably accommodate new New Yorkers is an important component of Intro 2186.

Finally, the bill intends to “reduce and eliminate disparities across race, geography, and socioeconomic status in access to opportunity and the distribution of resources and development” which will help to address the environmental injustices that low income communities and communities of color have disproportionately borne for too long.

We look forward to the passage of this bill and to working with the city in the future to fight climate change together.

Thank you for the opportunity to testify today.



**New York Lawyers
for the Public Interest, Inc.**

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**Testimony of Caroline Soussloff, NYLPI,
Regarding Intro 2186
Before the NYC City Council Committee on Governmental Operations,
Dated February 23, 2021**

Good morning, my name is Caroline Soussloff, and I am a Legal Fellow in the Environmental Justice Program at New York Lawyers for the Public Interest. NYLPI works with communities across the New York City area, providing support and services to combat inequalities, injustices, and infringements on civil rights. Our Environmental Justice program has advocated and litigated on the subject of the inequities of the distribution of environmental burdens in our City for almost three decades. Thank you to Speaker Johnson, the Committee members here today, and the Council for providing opportunity to testify on an issue with the potential to truly transform our City's land use processes in the future. We are hopeful that we can work together to ensure that environmental justice is a bedrock value and principle in our City, its laws, and all of its processes in the years to come.

I am pleased to be here representing NYLPI and our EJ program to support the City Council's efforts in creating a comprehensive long-term plan. NYLPI testified in support of similar efforts during the City Charter Commission in 2018, and we are incredibly encouraged that even though that effort did not bear fruit, the Speaker has taken it upon himself to ensure that many of the same goals of equity are accomplished by introducing this legislation, Intro 2186. We in particular applaud the commitment to reducing and eliminating disparities across race, geography, and socioeconomic status in access to opportunity and the distribution of resources and development reflected in this plan.

We are also grateful that the plan includes target-setting for the development of resiliency infrastructure. The procedures outlined in this bill present an opportunity to protect our City and most vulnerable populations against climate change and mitigate the adverse impacts it causes. Sea levels are going to rise, and we need significant hard infrastructure to protect our environmental justice communities from flooding. The political cycle simply doesn't lend itself to committing to and finishing these types of long-term projects. However, the comprehensive planning

process, combined with capital plan alignment, would go a long way toward creating pathways for these critical projects to be planned for and executed.

We join with the proponents of this bill in wanting to enhance democratic participation in City planning. We know that so much of the inequities existent in our City today are due to decisions having been made without opportunity for input from the very communities who end up bearing the brunt of negative consequences. By ensuring greater community input earlier in the planning process, the City can avoid situations like what happened with the rezoning proposal for Industry City, where longtime residents envisioned a working waterfront with good job opportunities but the private developer sought instead to expand luxury development: after a bruising and very public battle, neither interest walked away with all their goals met. As this example and many others have taught us, it is critical that local communities be the driving force behind local development. Bringing the public, Community Boards and elected officials into the process well before the ULURP stage will afford neighborhoods greater leverage.

In addition, to further address the needs and concerns of the City's environmental justice communities, we urge the Council to amend the bill by incorporating the following actions into the plan:

(1) **Conduct fair share analyses:** We are grateful for this bill's emphasis on equity with regards to the distribution of the benefits and burdens of development. However, we feel it could be strengthened by explicitly requiring that the City conduct fair share analyses. The bill in its current state already implies that the City will conduct a sort of fair share analysis as part of the comprehensive planning process. By being explicit and mandating a fair share framework, we can ensure that all communities have equitable access to affordable housing, city services and amenities, and a healthy environment in which to live, work and raise their families. It also helps to ensure that both burdens and benefits are equitably distributed throughout all communities, which we know is one of the goals of this process.

The City must avoid inequitable outcomes, such as what we all know happened with waste processing facilities. The City permitted these facilities to be concentrated in only three single areas whose surrounding residents were low-income communities of color, burdening these communities with the resulting air pollution. This Council had to work for more than a decade

to pass Local Law 152 to ultimately begin to rectify this inequity. In order to prevent more of this type of inequity from recurring, the Committee must explicitly require evaluative measures like fair share analysis as a part of the long-term comprehensive plan.

(2) Expand processes for community input: While we applaud the intentions of this legislation to include opportunity for community input, one meeting in each borough for a 10-year plan is not sufficient to ensure that community voices are heard. A single public hearing is the bare minimum. It is what current ULURP processes mandate, and it is this lack of self-determination with regards to land use decisions that has EJ communities screaming out for reform to begin with.

We urge the Council to consider the size, geography, and diversity of each borough, and how varied the needs of residents are across these landscapes. Opportunities for community input *at a community level*, rather than borough level, is critical, and we urge Council to consider incorporating more into process to democratize it and ensure all voices are heard. To this end, we note that we support the requirement that the Director meet with each community district regarding the goals, and would urge that the same level of community input be sought before the long term plan is finalized, and similarly if the plan is modified or altered.

(3) Appoint EJ community representatives as decision-makers: This bill is an important step towards our City's resiliency in the face of climate change. New York must prepare for rising sea levels, extreme temperatures, and more violent hurricanes. In order to tackle these complex, long-term problems, the City requires a comprehensive, long-term plan. As we have witnessed over and over again in recent years, the devastation wrought by our changing climate—storm damage, flooding, power outages—hits low-income communities the hardest. They are the most vulnerable and take the longest to recover. It is thus critical that they have a voice in the planning process.

We applaud the inclusion of individuals who are members of groups historically underrepresented in planning and land use decision-making processes in the Long-term Planning Steering Committee created by this bill. We are also grateful that the bill favors expertise in sustainability and resiliency. We believe this language could be even more targeted. As such,

we would urge that at least one or more members of the Long-Term Planning Steering Committee be members or representatives of Environmental Justice communities or advocacy groups, and/or sustainability and resiliency experts.

(4) Support community composting: The City's community composting infrastructure is sorely lacking. The limited program that exists has suffered from budget cuts and has been on pause for most of the Covid-19 crisis. Including community composting in the comprehensive plan would help to push the City and communities to build out a fully functional program, beginning with identifying sites where composting can take place, and ensuring equity in siting of these programs.

This bill is an important opportunity to make a lasting and forward-looking impact on our City, and we hope that the Committee will seize this opportunity to build our future on a bedrock of equity and environmental justice. We look forward to refining the proposals we have summarized today, as well as the many great ideas we are hearing from so many community representatives.

We will also help spread the word about this bill and its potential among our community partners. We work with EJ communities across the City, and we have heard confusion and misguided concerns that this legislation would eliminate ULURP, eliminate family zoning and mandate upzoning. We commit to continuing to work with the Speaker so that our community partners fully understand that this legislation does NOT do any of that, but rather ensures that communities' long-term goals and values are codified in the comprehensive plan.

Thank you to the Speaker, the Council Staff, and the Members here today for your time and we look forward to working with you, and with communities, to together create a comprehensive long-term plan that will make our City more equitable and sustainable.

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February 23rd, 2021

‘Planning Together’ Will Tear New York City Apart

The increasingly desperate attempt by Speaker Johnson to press the passage of what can only be described as top-down, wildly anti-democratic legislation that would completely upend land use in New York City has been to double down on the slender reed that much of the *Planning Together* report and corresponding bill (Intro. 2186-2020) has been based upon: another report written in 2010, entitled *How Have Recent Rezonings Affected the City’s Ability to Grow?*

This report, co-authored by then-head of the *NYU Furman Center for Real Estate & Urban Policy* and now-Deputy Mayor Vicki Been, is a significant factor in the narrative and recommendations in *Planning Together*, most notably in reference to a perception of a “glaring racial disparity in noting that upzoned areas were disproportionately home to lower-income Black and Latinx renters when compared to the more heavily white, homeowner-occupied downzoned neighborhoods.”

The problem is, this just isn’t true.

The many contextual rezonings which occurred during the Bloomberg years that helped to stabilize and protect neighborhoods from overdevelopment were spread throughout the city, in working-class, middle-class and (less so) wealthier neighborhoods and absolutely reflected the full demographic diversity that our city has to offer. More on that later, but now back to the previous point:

After deep review of the Furman Center report (which, to my knowledge, has never been analyzed or peer reviewed), it is obvious that the authors, including Ms. Been, narrowed and tailored data to fit their narrative rather than writing a report based solely on fact.

Without getting too much into the weeds, the Furman Center report bases its conclusions only on the rezonings which took place from 2003 to 2007, or one-third of the 12-year duration of the Bloomberg administration; treats all lots as essentially equal; and creates extraordinarily narrow definitions of upzonings, downzonings and contextual zonings based solely on benchmarks of decrease or increase of Floor Area Ratio (FAR), or the size of buildable square footage in relation to the lot. The authors acknowledge this remarkable self-serving definition on page 5 of the report, breezily dismissing why we planners consider FAR as only one factor in determining the size, shape and context of a building in a section ironically entitled *What is a Contextual-Only Change?*

Arguably, basing what attempts to be an authoritative report on land use in New York City while only looking at a relatively small sample – 4 years out of 12 – could be considered insufficient. Of more concern, treating all lots equally in a city where some lots take up an entire city block while others are less than 10 feet wide is not a valid methodology by any standard.

However, the most disturbing part of the Furman Center report hinges on the classification of lots – upzoned, downzoned and contextually zoned – and the racially-charged rhetoric and utterly false conclusions that were proffered at that time and continue to be perpetuated in the justification of Speaker Johnson’s current legislation.

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According to the Furman Center report, “of the 816,000 lots that existed in 2003, approximately 188,000 were subject to a City-initiated rezoning action by the end of 2007.” By their definition, 63% of the lots were “contextually” rezoned, while 23% were “downzoned”; only 14% of the lots were “upzoned.” Their definitions – which solely focused on a + or – 10% threshold in FAR – are utterly self-fulfilling, as no zoning categories exist which only go up or down by that percentage.

The 14% of lots that were “upzoned” according to the Furman Center report totaled about 26,000. Using the report’s own color-coded map on page 3, it is evident that “upzonings” took place in areas throughout the city. However, most of these actions are not what they are described or appear to be as per the authors.

For example, in Bedford-Stuyvesant South, a rezoning that was approved in 2007, 92% of the 200+ blocks affected were rezoned to R6B, a contextual zone used throughout brownstone areas of Brooklyn to protect the 19th century streetscape. Approximately 140 blocks were rezoned R6 to R6B, and 61 blocks were rezoned from R5 to R6B. Those 61 blocks, according to Ms. Been, constituted a major “upzoning” in terms of FAR in a lower-income neighborhood of color. But was it?

After analyzing all 3,756 lots that were rezoned R5 to R6B, 714 (20%) were at or below the 1.25 FAR maximum of the R5 zone; another 1,481 (41%) were at or below the 1.65 FAR maximum of the R5 Infill zone; and another 930 (26%) were at or below the 2.0 FAR maximum of the R6B zone. The remaining 461 lots (13%) were above the maximum R6B FAR.

What this rezoning did was to allow buildings that were already near or at their maximum FAR (in the R5 or R5 Infill categories) to be able to expand modestly in the future. More importantly, it brought over 900 additional buildings legally into *compliance*, bringing total FAR compliance in the former R5 zone part of the neighborhood from 61% to 87%; generally, neighborhoods are not rezoned to a particular category unless a large majority of affected lots – typically upwards of 70% to 75% – meet the standards for a particular zone. In addition, the R6B zone required new buildings to better line up with existing development, where the R5 zone created deep front yards with required off-street parking that broke up the streetscape. These are things that deeply matter and can’t be brushed off by focusing solely on a simple square footage analysis.

While there were smaller areas within the Bedford Stuyvesant South rezoning that were truly “upzoned” – such as Fulton Street, where a high-density R7D inclusionary zoning designation was created – a large portion of the “upzoned” lots identified in the report were not effectively upzoned at all. The key to this rezoning was to stop speculators from destroying the essence of Bed-Stuy, while, according to a *Gotham Gazette* article from 2007, speaking to the “greatest concerns of the community: increased commercial space to provide economic development and jobs, 400 new affordable apartments and preservation of the neighborhood’s residential character.”

This purposeful misclassification of “upzoned” areas is rife throughout the Furman Center report. For example, in the Kew Gardens-Richmond Hill rezoning of 2005, over 10 blocks of residential housing – 350+ lots – in a working-class Hispanic-majority neighborhood was rezoned from a manufacturing zone – M1-1(1.0 FAR) – to R5 (1.25/1.65 FAR). This was done in order to *legalize* the buildings; prior to this action, if a house caught on fire and burned to the ground, the owner would be unable to rebuild it *by law*. Another majority Hispanic part of the neighborhood was rezoned from R3-1, which allows semi-attached one and two-family houses, to R4A, which only allows detached houses at a somewhat higher FAR. Similar to other rezonings, the majority of buildings were brought into compliance with the higher FAR, while protecting the one and two-family detached house character of the neighborhood (81.3% detached houses): out of 304 lots, only 26.6% were at a 0.6 FAR (R3-1) or below, while 87.8% were at or below a 0.9 FAR (R4A).

Another excellent example is the Jamaica Plan rezoning of 2007, which covered 368 blocks. That massive effort significantly increased development potential in the downtown commercial core with inclusionary zoning contingencies – in a largely non-residential business district – while protecting the working-class African-American lower-density areas immediately to the east and south. A large portion of this particular area is shown as being “upzoned” in the Furman Center report; in fact, the area was changed from R3-2, the lowest density “general residence district” which allow apartment buildings and multi-unit buildings, to R4-1, which allows only detached and semi-attached one and two-family houses at a somewhat higher FAR. Why was this done? Besides high compliance rates, the plan was supported by the community, according to the *New York Times*, “after being reassured that they would not be required

to sell their property under eminent domain and that sections of one- and two-family homes would be preserved” which reinforced the neighborhood character in a working-class community of color.

Again, there is no attempt to differentiate between any of these types of carefully crafted actions and the sole focus of the Furman Center report: increase in FAR in lower-income neighborhoods of color. This pattern is repeated throughout the report, accounting for at least 75% of the “upzoned” lots in question.

Let’s be clear: there *were* parts of the city that were truly upzoned, most often transportation and commercial corridors and hubs, former manufacturing areas and/or waterfront “opportunities.” And, in many cases (though certainly not all), they were enthusiastically supported by the affected communities, particularly when they were included within a balanced plan that downzoned or contextually rezoned a larger neighborhood. However, they make up just a fraction of the overall blocks and lots that the Furman Report infuses with false meaning in order to achieve a desired result and message. By definition, then, the conclusions reached by this report are not actually supported by the true data set, and the Furman Center report can only be described as an ideologically-driven document, not a data-driven, peer-reviewed report.

The co-author, Vicki Been, has wielded this report (among others) as a justification for the unyielding upzoning agenda of the current de Blasio administration for the past seven years, first as the Commissioner of Housing, Preservation and Development (HPD) from 2014 through 2017 and then catapulting to her current position as Deputy Mayor for Housing and Economic Development since 2019. Unlike most of the Bloomberg contextual rezonings, the current administration’s neighborhood-wide proposed upzonings have been fraught with community opposition, conflict and – in a number of cases – ultimate defeat by some of the Councilmembers who represent those areas due to ‘member deference’ in such matters.

Which brings us back to our current predicament: *Planning Together* and Intro. 2186-2020.

In my first response (see attached) to this report and bill in January, I described how the contextual rezonings that occurred during the Bloomberg administration were equitably distributed throughout the city, regardless of economic status or demographics. This proof – along with today’s refuting of the previous Furman Center report’s data and conclusions – demolishes the main fictitious pillar of *Planning Together*.

Creating another level of bureaucracy as described in *Planning Together* – with even less interaction, input and decisionmaking from the public, Community Boards and elected officials – with the potential for a Robert Moses-like Director of Long-term Planning does nothing to solve the problems of inequity in our city and, in direct ways, imperils our already-diluted democratic norms even further. In addition, our imperfect system that allows our elected Councilmembers to actually stop a bad zoning proposal that affects a locality – member deference, and it *does* happen – will be ended for parts of each and every Community Board area that have been deemed appropriate for upzoning and ‘streamlined’ approvals in an adopted comprehensive plan.

Not legally tying land use changes to mandatory infrastructure investments and all of the other indices of life, including schools, parks, transportation, sewerage capacity and the like – something that will emphatically not happen with Intro. 2186-2020 – is not comprehensive planning.

Instead, this bill would create a comprehensive upzoning / housing unit generation / development engine every decade in perpetuity. This position is confirmed by last week’s “news analysis” in *The Real Deal* by the Senior Managing Editor, Eric Engquist, who stated that a “more predictable approval process would lower costs for developers, who currently might spend \$1 million or more to get a single rezoning through the City Council. And sometimes the local Council member, who singularly controls the fate of rezonings, makes extreme demands or simply says no...Johnson’s scheme, in a nutshell, simplifies the process by having planning experts decide what to go where, and any project meeting those terms would be approved.”

Ironically, the *Planning Together* report derides the fact that the Bloomberg administration “famously rezoned roughly 40% of the City’s land mass” and continues to perpetuate the lie based on the Furman Center report’s phony data sets that lower-income people of color were not included in the dozens of contextual rezonings that were adopted between 2003 and 2013.

During a Community Board presentation two weeks ago, the co-author of *Planning Together*, Annie Levers, was mystified as to how to get the rest of the city rezoned in a similar manner without passing Intro. 2186-2020. Had Mayor de Blasio and Speaker Johnson been so concerned about overdevelopment, *real* affordable housing and community participation (or lack thereof), there is no question that we could have had another 40% of the city carefully rezoned by now. Clearly, that hasn't happened, and every neighborhood that hasn't previously been contextually rezoned is being preyed upon by speculative developers.

Where has Speaker Johnson been for the past three-plus years as neighborhoods have been screaming for both the restarting of neighborhood-wide contextual rezonings and *real* affordable housing? And, if he is so insistent that this bill will enhance community input rather than weaken it, why has he introduced this bill – and the first public hearing! – in the last year of a lame-duck Council in the middle of a pandemic with no notification whatsoever to Community Boards or the general public? And finally, if this is such a popular idea, why did essentially the same bill get rejected by the Charter Revision Commission in 2019 and never make it on to the ballot?

Folks, what we have here is not just a planning problem; it's a political problem. And, if Intro. 2186-2020 becomes the law of the land, it's going to tear our city apart.

Submitted by:



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Brief Response to *Planning Together: A New Comprehensive Planning Framework for New York City*

My name is Paul Graziano and I am an urban planning, land use and zoning consultant who has been deeply involved in New York City land use issues both professionally and from an advocacy perspective for almost 30 years.

As an advocate for sustainable communities and sane land use policy, including increased protections for neighborhoods through zoning reform and balanced development patterns, historic preservation, land conservation, community organizing and other strategies to stabilize and increase public participation and engagement, I believe in the overall concept of comprehensive planning. When implemented correctly – which is to say, with a balanced approach that ties all of the complex threads of planning together – municipalities of all sizes can benefit from this approach.

When the Zoning Resolution was adopted in 1961, overdevelopment potential was built into how the map was created. If every residential property were to be built out to its maximum, the city would be able to absorb between 16 and 20 million people, or more than double the 8 million at that time. 60 years later, we have approximately the same population and, even with major zoning changes over the past 20 years, the maximum development potential also remains similar as well.

In recent decades, the closest that the City of New York has ever gotten to comprehensive planning were the large-scale neighborhood rezonings that took place during the Bloomberg administration, particularly those adopted between 2005 and 2013. These rezonings were divided into two major categories: neighborhood contextual rezonings, which usually included significant downzoning components and often upzoning components as well; and massive “downtown” upzonings, such as downtown Brooklyn, Hudson Yards and Jamaica, designed to maximize development potential in urban centers rich with transit, infrastructure, business and social services.

The neighborhood contextual rezonings, particularly those where there was substantial community engagement and participation, were groundbreaking for a specific reason: under the Bloomberg administration, the Department of City Planning actually listened to the communities and stakeholders affected and worked with rather than against them in most instances. This is why these rezonings were incredibly successful, popular and achieved their purpose: comprehensively rezoning neighborhoods through large-scale actions, some encompassing 500 blocks or more at a time.

To summarize, these rezonings were, for the most part, extremely successful because of several important components:

- Careful, fine-grained proposals that took account of the existing built environment
- New zoning designations to better reflect the diversity and gradients of housing stock
- Planning principles that focused on higher density around transit, lower density in other areas to maintain community character while promoting orderly growth
- Buy-in from the affected communities, including Community Boards and Councilmembers
- With sign off from communities (which can sometimes take years), a speedy public approval process

During the current de Blasio administration, the change in direction and what can only be described as an inability to respond to the needs and concerns of communities affected by their proposed and implemented rezonings has created

sustained and massive backlash against them, not only from neighborhoods and Community Boards but often the elected officials representing them as well.

In the multiple crises of COVID-19, political unrest and economic instability in New York City and with term limits resulting in an almost complete turnover of elected government in this calendar year, there is a true opportunity for land use policy to take a much-needed change of direction back to working directly with the residents and stakeholders in our neighborhoods to plan for the next decade and more.

Unfortunately, the report put forth by Speaker Corey Johnson last month does not meet that standard. In fact, from the analysis that I have conducted, it does the opposite. In addition, the rollout of this report and subsequent introduction of a bill in the City Council the next day was done with virtually no outreach to the people of New York City and, most importantly, was not disseminated to Community Boards whose already-limited influence over the land use process will be greatly curtailed should this report's goals be adopted into law.

The report is mainly built on a single fictitious pillar: that wealthy, White neighborhoods have received preferential treatment in terms of planning and zoning while, according to the report, "For Black, indigenous, and people of color, there are rarely if ever conversations about what people actually want to see in their neighborhoods." This falsehood is repeated multiple times throughout the document all in the name of "equality" which, in this document, relates to the removal – not enhancement – of input from neighborhoods, stakeholders, Community Boards and elected officials during the land use process; and mandatory upzonings that would have to occur in each Community Board to generate tens of thousands of new housing units in the City every decade.

This blatant lie is best expressed on page 29 in a single critical paragraph in the section entitled "Uneven Zoning Landscape that Exacerbates Socio-Economic Inequality"

Mayor Bloomberg famously rezoned roughly 40 percent of the City's land mass but failed to address the City's historical neglect of people of color and lower-income neighborhoods. Instead, DCP downzoned dozens of neighborhoods in majority-white middle-income communities in Queens, Staten Island, the outer Bronx, and Brooklyn, where local civic organizations pressured the City to restrict development. The Bloomberg Administration introduced new lower density districts in those whiter, wealthier neighborhoods with strict limits on building height and bulk to "protect neighborhood character" against "overdevelopment."

This simply is not true. A review of the 34 neighborhood-wide contextual rezonings that took place in Queens from 2005 to 2013 – more than 50% of all of the contextual rezonings which were adopted in the entirety of the City during that time – show a very different story (See Appendix A). The areas shown are the blocks that were rezoned overlaid on demographic maps based on the raw data from the 2010 census designed by the Urban Research Maps Project (conducted by the Center for Urban Research at the CUNY Graduate Center). These maps show the four main demographics in New York City showing the majority demographic by block in a range of colors: White/Caucasian in Light to Dark Blue; African-American in Orange to Brown; Hispanic/Latinx in Light to Dark Green; and Asian-American in Pink to Purple. If no one demographic predominates or there is a plurality, the block is shown as blank.

Out of the 34 rezonings in Queens referenced above, 12 had a majority White population; 7 were majority African-American; 7 were majority Asian-American; and 4 were majority Hispanic/Latinx (See slide 109, Appendix A). The remaining 4 rezonings had no one demographic predominating or had a plurality. These rezonings ranged in size from approximately 20 blocks to over 500 depending on the size of the neighborhood; they were located in all corners of the borough and completed in no particular order (See slides 110-111, Appendix A); and, they had overwhelming buy-in from each community, regardless of demographic background, economic status or form of stakeholder (homeowner, owner-occupied cooperative apartment or condominium, renter, business owner, etc.). In fact, in an excellent example of how erroneous this report is, the first neighborhood to receive the anti-McMansion R2A single-family zone (which I co-authored) was Cambria Heights, a neighborhood of modest detached single-family houses with a population that is 90% African-American (See slides 16-18, Appendix A). Economic diversity is also shown throughout the rezonings that took place, with numerous working class, middle class and upper-middle class neighborhoods represented throughout Queens. Also, the rezonings did not focus solely on lower-density neighborhoods; many communities with middle to higher density were included as well, rounding out public policy goals of inclusiveness, not exclusivity as purported by the Speaker's report.

In addition to this overwhelming fallacy which focuses heavily on racial and economic stereotyping for justification of its main tenet and proposed policy remedies, the report also spotlights Seattle, Washington and Minneapolis, Minnesota as case studies to make two points central to the overall agenda of the report: that A) comprehensive planning works (Seattle) and B) single-family zoning in New York City should be eliminated (Minneapolis).

While most other municipalities throughout the United States have some form of comprehensive planning – and in some States it is mandatory to create a “Master Plan” every few years, such as New Jersey – it is impossible to directly transfer many of those same planning principles as a framework to New York City. This is due to a relatively unique feature of New York City: our development process is “as-of-right” once building and zoning codes have been met and vetted by the Department of Buildings, with few exceptions (such as special districts, landmarking, etc. which affect slightly more than 5% of the entire city’s land area). Comprehensive planning as a process cannot work without the elimination of the “as-of-right” approvals mechanism which, in my opinion, will not happen due to the overwhelming influence of the real estate development industry in New York City politics.

As for the idea of the elimination of single-family zoning (See Appendix B) as well as parking requirements, in recent years there has been a nationwide movement to do this by certain advocacy groups in the name of creating more affordable housing and address historic exclusionary actions taken against non-White residents by governments during the early and mid-20th century. While there is no question that this occurred in many if not most cities in the United States, there is a key difference between those places and New York City: almost all other large cities in the United States have a large majority of their residential zoning designated as single-family (See Slide 9, Appendix B). These single-family areas were designated, in some cases, to make it easier to exclude non-White residents from buying houses or otherwise settling in those neighborhoods. Last year, Minneapolis became the first major city to eliminate single-family zoning, which had covered 70% of the city’s residentially-zoned land area. The goal was two-fold; to increase affordability and diversity throughout the city by allowing all property owners to convert their existing one-family homes into at least 3 units.

By contrast, New York City has the lowest percentage of single-family zoning of any major city: 15%. More than 90% of these neighborhoods are in the outermost reaches of the city, with the largest concentration – almost 60% - located in northeast and southeast Queens, with most of the rest in Staten Island (See slides 15-16, Appendix B). These parts of the city have the least amount of infrastructure, transit options or access to Manhattan. They are also already extremely diverse, both demographically and economically. There is no question that eliminating single-family zoning in these parts of the city will not lead to more affordability across the city; instead, it will allow for more density at what the market will bear with increased stress on already inadequate infrastructure (which, as history has shown, will never be upgraded to the standard necessary - or at all) and will potentially create more absentee landlords and unsafe conditions.

To summarize:

- Speaker Corey Johnson has initiated a process to upend planning and zoning in NYC with zero outreach or notification to neighborhoods or Community Boards
- Comparisons of comprehensive planning in other cities and states are, in many cases, not applicable to our system of planning in New York City
- While real comprehensive planning for New York City is a laudable goal, the end result of this report will not do what it purportedly proposes
- The basis for this proposal is built on a series of statements presented as facts which are not true and are, in fact, the opposite of the experiences of Community Boards and communities throughout New York City
- The proposal will remove, not enhance, input from neighborhoods, Community Boards and elected officials
- Mandatory upzonings would be required every decade in each Community Board area regardless of the fact that the population of New York City has remained relatively stable (give or take 1 million) for over 60 years and our current zoning has the capacity to absorb more than double our current population
- The proposal neglects to take into consideration one of the hallmarks of New York City development: as-of-right
- Contrary to the report, elimination of single-family zoning will have a deleterious effect on the entire city, with no increase in affordability, only stresses on infrastructure away from transit

As the most diverse borough in the most diverse city in the United States, over the last half-century, Queens has been a national laboratory of how different types of people can live together in dozens of neighborhoods of varied economic levels, some urban, others more suburban. Like parts of the city away from the center of gravity of Manhattan, outlying areas of Queens oftentimes have more in common with their suburban neighbors across the Nassau County line, as do areas of the north Bronx with adjacent towns in Westchester. Staten Island in particular has developed in a fashion much more similar to coastal New Jersey, where the borough has significant economic, transportation and familial ties. People from these areas of the city also have employment, commute, shop or otherwise participate in a cross-boundary economic and social framework that defies easy classification by a city government which, more often than not, focuses on a Manhattan-centric view of **how the City should be**.

In recent years, this has resulted in numerous attempts by the current de Blasio administration to impose new high-density zoning in low-income neighborhoods, often with tremendous opposition from the existing residents, with infrastructure improvements and dollars held hostage during the process. These rezonings, for the most part, did not increase affordability for the residents of those communities; they have, if anything, spurred on more market-rate and luxury-type development, altering the neighborhood without benefitting those who live there presently. And, as we are decades behind in needed infrastructure – for example, a medium-sized rainstorm dumps over 1 billion gallons of raw sewage into our rivers and waterways on a regular basis due to lack of capacity and control at our treatment plants – it is unfair to the communities that most need it to hold critical improvements as a carrot in exchange for significantly higher density potential, which will increase their infrastructural needs all over again.

While our current land use process is far from perfect by any standard, the proposed “streamlining” or limiting participation of our defined role in planning and land use conversations and approvals; the potential elimination of single-family zoning which creates opportunities for enormous numbers of working and middle-class residents to remain in New York City due to its relative affordability and (mostly) outlying locations away from transit; and the mandatory upzonings by Community Board area (despite or ignoring a major downturn in population in the city over the last five years, not including the past months of temporary and permanent mass-outmigration during the COVID-19 pandemic) for the sake of increasing unit counts throughout the city is not the way to facilitate “equality” for the residents and small stakeholders of our city. There is no question that New York City could benefit from real comprehensive planning – just not the anti-democratic, anti-participatory thinly-veiled development scheme as proposed in the unintentionally tragi-comically titled *Planning Together*.

Submitted by:



Paul Graziano, Principal
Associated Cultural Resource Consultants



February 23, 2021

AIA New York Statement of Support for Int. 2186, Comprehensive Plan Bill

Comprehensive planning is a necessary addition to New York's land use policies. For too long, public- and private-sector design and construction have been uncoordinated in addressing the city's needs around housing, open space, and transportation. The only way to achieve this level of citywide coordination is through the implementation of a long-term comprehensive plan, like the one envisioned in Int. 2186. As the professionals charged with implementing many of the bill's provisions, architects are strongly supportive of this effort. However, there are some important changes that AIA New York believes should be instituted to improve the bill.

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First, the amended bill should accelerate the timeline for the final adoption of the comprehensive plan. It is unclear whether elected officials and city agencies will continue to pursue necessary projects while the plan is in development, as they may opt to wait years until the plan is in effect to ensure that these projects are in accordance with it. An adoption date of June 2025 may therefore significantly delay both design and construction.

The bill should also consider more precise geographic boundaries than community districts, which are based on demographic realities from decades ago and can be far too large to be effective for planning purposes. Five community districts (Manhattan 8, 12; Queens 12, 13; Brooklyn 18) have populations larger than or approximating Rochester's, our state's third largest city, and one community district (Queens 12) has a population approaching Buffalo's, our state's second largest city. As such, district-level targets may not be able to fully address the needs of a district, particularly the needs of more marginalized communities.

Lastly, the power instilled in the Director of the Office of Long-Term Planning is concerning. The bill would allow for the director, an unelected official, to hold sway over much of the comprehensive planning process and at times make unilateral decisions on design and construction. Furthermore, there are no professional qualifications required for this director position, and there is no mandate that the director to be an architect, engineer, planner, or any other type of land use professional. A single government official who is both unaccountable to voters and lacking professional expertise should not be given such great power over the design of our buildings, public spaces, and transportation systems.

Int. 2186 is an important first step in instituting a much-needed comprehensive plan for our city. We hope our recommendations are strongly considered in an amended version of the bill. Architects want to design a more equitable city, and we believe our recommendations would help the city achieve this goal. Thank you to Speaker Johnson and the rest of the bill's sponsors for proposing this important legislation.

Board of Directors, AIA New York



AIA New York Int. 2186 Recommended Changes

Timeline

- *Speed up the process*
 - The current timeline has an adoption date of June 2025, which means that designs in accordance with the plan cannot start for over four years from present. Public and private sector projects take years to get built, with the average city project taking four years to complete.¹ If designs are delayed to await the results of the plan, projects needed today will not be completed until 2029.
 - Comprehensive planning can be done faster. For instance, Minneapolis completed its 20-year plan in the same amount of time as NYC's proposed 10-year plan. If Minneapolis can complete a 20-year plan in three and a half years,² NYC should be able to complete its 10-year plan in less time.
 - A similar planning-to-year ratio for NYC would indicate that the city could complete its plan in 21 months.
- *Confirm support for continued design and construction*
 - While there is no legislative solution to the problem of pressing projects potentially being paused to await the results of the planning process, council members must act to stop this from becoming a reality.
 - A written and public statement of support for continuing the design and construction of pressing public and private sector projects should be issued by council members seeking reelection or higher office.

Community Districts

- *Change districts, with multiple alternatives available*
 - Five community districts (Manhattan 8, 12; Queens 12, 13; Brooklyn 18) have populations larger than or approximating Rochester's, our state's third largest city, and one community district (Queens 12) has a population approaching Buffalo's, our state's second largest city.³ Using districts of such large size means that district-level targets may not be reflective of what marginalized areas of those districts need. Meanwhile, smaller and more homogenous districts may receive targets that are more reflective of their needs and those of the city.
 - One option is to not use community districts, but rather use more equitably designed existing district maps, such as ones that change with population (City Council districts) or ones that are smaller in size (a combination of census tracts or electoral districts).
 - New districts could also be created as part of the process. DCP or another relevant agency could be required to create these districts based on existing neighborhoods and with population minimums and maximums. These newly created districts could then be reevaluated every five or ten years in conjunction with the planning process.

¹ <https://nycfuture.org/research/slow-build>

² <https://minneapolis2040.com/planning-process/>

³ <https://communityprofiles.planning.nyc.gov/>



- *Allow for subdistricts*
 - If community districts or other large districts are used, then subdistricts should be created to allow for more specified targets, particularly in those very large districts.
- *Generalize inequities to enable more design solutions*
 - Calling out specific inequities may not leave room for designers to address current inequities that are not mentioned, or ones that emerge in the future.
 - Inequities differ from district to district, so those participating in the planning process should be given flexibility to address inequities based on district-specific circumstances.
 - The bill should stick to language of “demographic disparities” without singling out specific disparities.

Director of the Mayor’s Office of Long-term Planning

- *Place the process under the control of an elected official*
 - Formally investing decision-making power on design and construction to a single person, particularly an unelected official, could lead to decisions being made that are not reflective of the entire city’s wellbeing.
 - These powers should rest with the Mayor, an elected official accountable to voters, not someone who lacks electoral accountability.
 - The Mayor can have advisors in a Deputy Mayor’s office, MOS, DCP, DDC, HPD, and elsewhere coordinate the process, perhaps with one agency taking the lead, but with no single person in control.
- *Director should be a licensed design professional*
 - Design and construction are heavily regulated industries for good reason, as the implications of their decisions have lasting impacts on safety, accessibility, and equity.
 - Therefore, it is bad practice to have someone oversee design and construction in NYC who is not licensed to do so.
 - If a single person is going to oversee this process, that person should be a licensed design professional (registered architect, professional engineer, certified planner, or registered landscape architect).

Queens Preservation Council

204-05 43rd Avenue
Bayside, New York 11361

Testimony RE: Intro 2186
NYC Council Committee on Governmental Operations, February 23, 2021

from Mitchell Grubler, Chair,
Queens Preservation Council

The Queens Preservation Council joins the long and growing list of Community Boards, residents and community groups in opposing Intro 2186. The bill would create a top-down approach that would leave communities with even less democratic control over city rezonings than we have now. The proposed law allows a powerful “Director” to dictate housing quotas for those particular neighborhoods he/she wants to overdevelop.

We also strongly oppose the elimination of single family zoning, which this bill calls for.

The main focus of this bill is to increase real estate development in any community board in NYC that the new “Director” deems to have "high amenities" and a theoretical "low risk of displacement". This new “Director” will, as required by the new law, impose housing quotas on any community board district that he wants to. The City Council gets to choose not the quotas, but how they will be filled. If the Council does not like any of the ways of fulfilling the quotas, then “the Director” picks how it will be done. Each Community District Plan is then incorporated into a citywide comprehensive plan that the public does not get a chance to weigh in or vote on.

We do not want to empower a planning “czar” to impose quotas and make sweeping land-use decisions with hardly any community input. We implore you to **VOTE NO on Intro 2186.**

**KEVIN J. FORRESTAL
PRESIDENT
QUEENS CIVIC CONGRESS, INC**

Testimony to the Committee on Governmental Operations Jointly with the Committee on
Land Use and the Subcommittee on Capital Budget
February 23, 2021

The Queens Civic Congress an umbrella organization of over 80 civic organizations has taken the following position concerning Planning Together (Int. 2186-2020).

- Introduction 2186-2020 is a far-reaching, complicated piece of legislation that could have profound effects on the city. It is not a task to be taken hastily and without a significant amount of deliberation and public review. It is certainly not legislation which should be enacted by a lame-duck legislature and Mayor.
- Under this legislation, when a rezoning is consistent with the comprehensive goals of the Final Plan, it can be approved without using the Uniform Land Use Review Procedure. It would allow a developer to proceed with construction without much further review. The rezoning could be fast-tracked with a minimal Environmental Impact Study. It also could result in spot zoning. It will significantly reduce public participation.
- Determining future capital and infrastructure needs under long-term planning is reasonable for major work such as sewers, water supply, and similar structural interdependent projects. Committing capital funding on a strict timetable is very problematic due to inconsistent funding. The ten years plan should be reduced in length.
- The task of developing this comprehensive plan as outlined in Int. 2186-2020 will require a significant number of new resources and no dollars have been identified. This Intro has been submitted in a time of severe fiscal crisis and population fluctuations. It is irresponsible to make long-term plans when the financial stability of the city and state have not been addressed. If enacted, funds will need to be diverted from essential services.
- Before Covid 19, we saw a decrease in the city's population, and we have seen an exodus from the city as well as a high death rate since the arrival of Covid-19. It would be prudent to determine what our population status is before a bill of this nature is considered. A delay would also provide time to get the final 2020 Census figures.
- The position of Director of Long-Term Planning has been given very extensive authority and power with significantly excessive discretion. The amount of redistribution of responsibilities raises questions about whether such changes can be made legislatively. The Intro creates significant changes to the City Charter without a referendum.

With a mandate to reach a certain quota of housing units each decade, up-zoning may have to occur. This can potentially reduce or eliminate one-family and low-density zoning which could lead to an exodus of middle-class families to the suburbs.

- The report identified several strategic issues that could benefit from more coordinated data sharing and analysis which could be provided by various agencies.
- The report made several conclusions that are not supported by accurate or complete data. Such conclusions could have significant and lasting negative implications on communities throughout the city.
- There are misleading and irrelevant comparisons made in the report to other municipalities compared to low-density residential communities in New York City. New York City has a very low percentage of low-density zoning compared to other cities.
- There are certain incorrect assessments presented in the report regarding rezoning actions by the city in recent years showing, contrary to facts, that down zonings have benefited “white and wealthy” communities. Contrary to the report’s conclusion, the elimination of low-density zoning and parking requirements and legalization of basement, attic, and garage apartments would, in fact, disproportionately negatively affect minority communities in outlying and underserved areas of the city.
- The Intro is very much a top-down approach that is very cumbersome and bureaucratic. Its structure will discourage public participation.
- Planning Together (Int. 2186-2020) was introduced without prior consultation or notification of key stakeholders. It was advanced to a Public Hearing rapidly. This is hardly an illustration of its namesake “Planning Together”.
- The Charter Revision Commission considered putting Comprehensive Planning on the ballot as a referendum but voted it down. Charter revision this significant by should be approved by the voters.
-

The Queens Civic Congress calls for the immediate withdrawal of Int. 2186-2020.

Respectfully submitted,

KevinJForrestal

Kevin J. Forrestal
President

**KEVIN J. FORRESTAL
PRESIDENT
QUEENS CIVIC CONGRESS, INC**

Testimony to the Committee on Governmental Operations Jointly with the Committee on
Land Use and the Subcommittee on Capital Budget
February 23, 2021

Written Testimony
New York City Council Hearing on Comprehensive Planning
Int 2186-2020
February 23, 2021

Executive Summary

Ascendant Neighborhood Development (“AND”) has evaluated Int 2186-2020 (“Planning Together”) regarding the creation of a comprehensive planning process for New York City (“the City”). AND is a Community Based Organization (“CBO”) located in Northern Manhattan. Since its founding in 1988, AND has supported the stabilization and growth of the East and Central Harlem communities, advocated for the preservation and development of affordable housing, and helped thousands of New Yorkers live with dignity and respect.

As discussed below, the current system for planning, land use, and budgeting disproportionately negatively impacts low-income communities of color, such as the neighborhoods of Northern Manhattan. AND stands with our allies, including the Association for Neighborhood & Housing Development and Thriving Communities Coalition, in advancing equitable development. AND believes that Planning Together is the foundation upon which the City can build a robust and impactful comprehensive planning process. We commend Speaker Johnson and the City Council for advancing this bill. We are looking forward to working together to make it as effective as possible and ensuring that it accomplishes its intended goals.

East Harlem Neighborhood Plan and East Harlem Rezoning

In early 2015, the City identified East Harlem as an area to be rezoned as part of the Mayor’s Housing New York plan. AND worked closely with NYC City Council Speaker Melissa Mark-Viverito’s office, Manhattan Borough President Gale Brewer’s Office, Community Board 11, and numerous community based organizations to develop a community-based process and, ultimately, the East Harlem Neighborhood Plan (“EHNP”) that would inform the City’s re-zoning and related policy, program and project initiatives.

AND served as one of the 22 members of the EHNP Steering Committee, and AND Executive Director/President Chris Cirillo served as the Chair of the Affordable Housing Development subgroup focused on developing recommendations about how to increase affordable housing options in East Harlem. Mr. Cirillo also served as a member of the Housing Preservation and Zoning & Land Use subgroups.

Impact of East Harlem Rezoning

In November 2017, the New York City Council approved the rezoning of 96 blocks from East 106th to East 132nd Streets in East Harlem. It was the third neighborhood to be rezoned under Mayor Bill de Blasio's mandatory inclusionary rezoning program, all of which are low-income communities of color. As opposed to the EHNP, the rezoning was more aggressive with allowable density and did not include community envisioned incentives and benefits. The top-down approach to planning undermined the expertise and efforts of those who helped create the EHNP and led to protests. Three years since the rezoning, East Harlem has seen record development while many of its residents are at greater risk of displacement due to speculation. In contrast, the Upper East Side has [lost housing since 2010](#).

AND's Position

AND is a member of the Thriving Communities Coalition and supports the principles and demands that they have made for comprehensive planning. Comprehensive planning is an important vehicle to further the Coalition's goals and to achieve more equity in land use.

The City needs a fair distribution of resources, transparency and accountability in planning, real avenues for community power, and development without displacement. Comprehensive planning is a step towards creating a tangible framework for equitable planning. Low-income communities of color that have suffered decades of red-lining, disinvestment, and short sighted planning from the public and private sector are pushed to accept destructive rezonings in order to have their existing needs met while whiter, wealthier communities are able to block rezonings. Comprehensive planning is a step towards creating a tangible framework for equitable planning by breaking this cycle.

There is a city-wide need for affordable housing and housing for the formerly homeless. Comprehensive planning would increase the opportunities to meet these needs in more communities across the city, especially those that have the de-facto power to say no today, by directing new growth and development away from areas with high displacement risk and towards "high opportunity" neighborhoods. Additionally, for neighborhoods with high displacement risks, like East Harlem, comprehensive planning could prioritize more affordable housing while limiting private development. Projects in alignment with the comprehensive plan could go through an expedited approval process. For neighborhoods like East Harlem, that would result in creating truly affordable housing faster.

Low-income communities of color, like those in Northern Manhattan, are disproportionately impacted by air pollution and climate change. East Harlem suffers from both flooding and extreme heat. A comprehensive plan could prioritize climate change mitigation by utilizing cross-agency coordination and longer term planning to target how development and investment should be distributed across the city.

The City, alone among major cities in the United States and around the world, has opposed the concept of comprehensive planning for decades. The results of that short-sighted stance are readily apparent. Our city faces entrenched segregation; inequitable economic development and allocation of resources; a lack of affordable housing and a crisis of homelessness; an array of sustainability, resiliency, and climate change challenges; and an antagonistic relationship between communities and developers. Continuing with our broken planning system will do nothing to solve these and many other crises that we face. In fact, doing more of the same will only result in more of the same. We need a bold new vision for comprehensive planning and Planning Together is a promising first step to create it.



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Cooper Square Committee Testimony About Intro 2186 the ,Comprehensive Planning Hearing 2/23/21

I'm Steve Herrick, Executive Director of the Cooper Square Committee. Our organization believes that comprehensive planning is a crucial step towards a more equitable approach to planning - one that is centered on reducing disparities and disinvestment in communities of color and ensuring a more equitable distribution of development and investment citywide. We believe the bill has many good elements, and while we believe there is room for improvement in terms of community participation and transparency, we believe it provides disadvantaged communities the best hope for better land use planning outcomes.

Like many community based housing justice organizations, we've experience the shortcomings of our current approach to planning. While Community Board 3, and the many advocacy groups in the Lower East Side/East Village, have had some success in winning significant community benefits from land use actions, such as the contextual rezoning of our community over a decade ago, and the mixed income housing at Essex Crossing where the majority of the more than 1,000 units are set aside for low, moderate and middle income households, these efforts took a lot of work by a proactive community.

Many other communities don't have the same level of community engagement and technical skill sets needed to achieve equitable planning outcomes. And even the two successes cited here were not as successful as they could have been. Other community based planning efforts, such as the Chinatown rezoning plan, have not been acted upon by the Department of City Planning, while the Two Bridges community has fought against plans for massive 1,000 foot tall towers of 80/20 housing that the city treats as minor modifications to the large scale residential development (LSRD) area when it is anything but that. The outcome is uncertain as the de Blasio administration is appealing the injunction against the plan, stemming from a second lawsuit.

Comprehensive planning is needed to create a vision for New York City that is centered on advancing racial and socioeconomic equity. Many low income communities of color that have suffered from the effects of decades of disinvestment, have been forced to accept upzonings that have introduced higher income residents, resulting in greater displacement pressures. The city's budgeting process fails to address the decades of disinvestment or historic disparities.

Comprehensive planning moves us in the right direction with a tangible framework and goalposts for equitable planning by doing the following:

- Enshrining explicit equity principles in the planning process
- Prioritizing urgent capital budget investments to address **existing** needs, regardless of whether there is a proposed rezoning

- Directing new growth and development away from areas with high displacement risk and towards “high opportunity” neighborhoods
- Increasing transparency by establishing one guiding planning process with new and robust analyses of needs, risk and opportunities across communities
- Creating greater opportunity for proactive community participation earlier in the planning process
- Requiring cross-agency coordination and longer-term planning in city government

Affordable Housing:

Comprehensive planning would increase the opportunity for building affordable housing and housing for the homeless in more communities across the city, especially those that have the de-facto power to say no today, by directing new growth and development away from areas with high displacement risk and towards “high opportunity” neighborhoods. New development would be prioritized for areas with low displacement risk and high opportunity, such as low density communities with a high home ownership rate. Increasing the density of communities currently zoned for R1, R2, R3 and R4 for example, would not generate displacement pressures. It would also move city away from rezonings that fuel displacement in low-income BIPOC communities where the new housing remains out of reach for most residents

In neighborhoods with high displacement risk more affordable housing production could be prioritized over unregulated development through promoting targeted strategies such as mission-driven development, increased subsidy and the use of public land. The citywide and local analysis done through comprehensive planning would identify and set targets to encourage equity in how different neighborhoods contribute to meeting citywide needs (like deeply affordable housing), and would facilitate investment and land use changes that help meet those needs over other types of development (such as luxury housing). Projects in alignment with the comprehensive plan, which would likely include most truly affordable housing development, could go through an expedited approval process.

Climate Change

Comprehensive planning requires the City to center climate change mitigation as a key consideration in the analysis and targets for how development and investment should be distributed across the city. Cross-agency coordination and longer term planning will help ensure that complex and large-scale investments occur, and that we invest in under-resourced frontline communities’ resiliency.

To truly achieve its goals, the legislation should be strengthened to ensure that Comprehensive Planning will prevent displacement and facilitate truly affordable housing.

- Expand the stated goals of the plan to include creating more affordable housing in areas where it is currently lacking.
- Require that analysis and goal-setting be specific about the types housing - affordability levels, unit sizes, etc - that should be prioritized to address neighborhood and citywide needs. Include homeless data and supportive housing need in the Conditions of the City Report.

- Include supportive housing in the plan's framework, and treat it as all other standard residential, affordable housing is treated. Include supportive housing alongside affordable housing in neighborhood targets and budgets.
- Include community district diversity indexes in the data to be measured and tracked over time.

Ensure that Comprehensive Planning results in Equity in Budgeting by increasing transparency around how budgeting decisions respond to the comprehensive plan through tools such as the following:

- An equity matrix and/or racial disparity reports
- Require a budget equity assessment to complement the Mayor's Management Report
- Create public tools tracking where capital budget investments are made

Ensure that comprehensive planning promotes inclusive, equitable Climate Resiliency Planning by analyzing the demographics of at risk waterfront communities, and plan for fortifications and sustainability of infrastructure and housing that may be needed. Prioritize the resiliency needs of frontline communities in related capital budgeting and in local growth or reduction targets

Ensure equitable access to robust community planning and public engagement in the comprehensive planning process

- Provide resources - including funding and technical assistance - to local communities to support engagement in the comprehensive planning process, prioritizing neighborhoods whose residents are traditionally underrepresented in planning and/or that have experienced historic disinvestment. For example, many communities don't have access to professional planners they need to initiate a 197A or 197C plan. The City should make such resources available to communities that are below the City's AMI.
- Mandate robust outreach in each district to achieve overall participation that approximates the population distribution of the district and includes non-residential stakeholders with a wide range of interests.
- Ensure that communities have the opportunity and support to generate draft land use scenarios from the bottom-up, and that the results of community engagement in the process influence the outcomes, within the overall framework and targets set by the Citywide Goals Statement.
- Require that all agencies, committees, etc involved in public engagement throughout the comprehensive planning be trained and supported to follow best practices for meaningful community engagement.
- Ensure that the Long Term Planning Steering Committee (LTPSC), Borough Committees, and other relevant bodies reflect the diversity of the population at both citywide and neighborhood levels by incorporating representatives from community, racial justice, and environmental justice organizations, and ensuring representation for NYCHA residents, homeless New Yorkers, and other marginalized populations.

Ensure that the comprehensive plan has a maximum impact, meaningfully shaping future zoning, development, investment, and policy in NYC by doing the following:

- Tie the zoning resolution to the comprehensive plan, or ensure the legislative language facilitates doing this later through other means if necessary
- Clarify that the comprehensive plan should be considered authoritative and persuasive evidence of the city's land use policies in the bill and/or committee report
- Consider codifying the comprehensive plan's land use components with a Future Land Use Map to indicate intended general uses (as distinct from zoning designations) in the plan in advance of detailed zoning changes
- Require the Mayor's Management Report to provide publicly accessible monthly or quarterly updates on actual development and investments once a comprehensive plan is approved or revised, with sufficient detail that elected officials and the public can understand the degree to which the comprehensive plan is being put into practice.
- Mandate periodic evaluation or audit of the comprehensive planning process and results by an independent agency or office outside the Mayor's control. The audit could include determining how closely the development scenarios in the adopted plan adhere to community proposals, how well the adopted plans promote equity outcomes/stated goals of the legislation, extent to which actual development followed the scenarios, whether GEIS & EIS accurately assessed impacts, and community members' experiences with the process & ability to impact outcomes.

NBCA

Northwest Bayside Civic Association

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January 30, 2021

Honorable Bill de Blasio, Mayor

City Hall
New York, NY 10007

City Council Speaker Corey Johnson

224 West 30th St, Suite 1206
New York, NY 10001

Councilman Paul Vallone

42-40 Bell Boulevard, Suite 507
Bayside, NY 11361

The Northwest Bayside Civic Association has been made aware of a new proposal called “Planning Together,” put forward by City Council Speaker Corey Johnson, which has been fast-tracked to the City Council for approval. While comprehensive planning is important, there are many facets of this proposal that are objectionable and questionable.

We understand that the proposal was not released to Borough Presidents or Community Boards when it was introduced in December. Additionally, there was no input from the public prior to the proposal being written. Why the lack of transparency? Hardly “planning together,” as the namesake falsely indicates. Why aren’t applicants wishing to upzone coming before the community board and local residents, and going through a process that is open and above the board?

This proposal would allow future denser development in our communities to bypass the ULURP process, forcing the community board and residents to forfeit their ability to review and give input on development. Rezoning is a process that begins with community input!

Why should residents be stripped of their right to choose in which type of neighborhood they would like to live? People move into single family neighborhoods after investing their savings

because they like the character, the charm, and the ambience of lower density living. It is not the right of any bureaucrat nor politician to dictate to any neighborhood that their way of life will be arbitrarily changed, especially on the false notion that previous rezonings were created to benefit one “whiter and wealthier” group. This inference is offensive. Take a better look: diversity is evident in all areas of Queens! Diversity is the backbone of New York City.

We strongly and respectfully urge Councilman Vallone and the entire NYC Council to reject this proposal. This proposal does not offer a realistic way of providing more affordable housing and growth. Involve all stakeholders in the process, including residents, community boards, elected officials, and developers. Those living in single family zones should not be scapegoated to solve NYC’s difficulty in creating more affordable housing. Residents living in these districts are already in a transit desert and without infrastructure.

I conclude with, if any upzoning is planned it should be done in a transparent manner and reviewed thoroughly by the residents and the community board first. It should not impose upon us, as outlined in this proposal.

Jena Lanzetta, President

Northwest Bayside Civic Association

Cc: Community Board 11, Michael Budabin, Chair

Community Board 11, Joseph Marziliano, District Manager

State Senator John Liu

State Assemblyman Ed Braunstein

Borough President Donovan Richards

Community Affairs Unit, Kevin Morris

Queens Civic Congress, Kevin Forrestal, President

**TESTIMONY of NEW YORK APPLESEED
THE NEW YORK CITY COUNCIL
COMMITTEE ON GOVERNMENTAL OPERATIONS**

Hearing on Int. 2186

February 23, 2021

New York Appleseed (Appleseed), a nonprofit organization, hereby submits written testimony relating to Int. 2186, *A Local Law to amend the New York city charter, in relation to requiring a comprehensive long-term plan*. Appleseed is a member of the Thriving Communities Coalition and fully supports the coalition’s testimony submitted separately. Here we address the role of comprehensive planning in addressing racial and economic segregation in New York City and request amendments required for the bill to accomplish this purpose.

Appleseed’s mission is to advocate for integrated schools and communities. Over the last decade, Appleseed has studied the problem of racial and economic segregation in New York City and New York State and successfully advocated for policy reforms to address the issue.

Neighborhood segregation is a structural problem that affects the entire city and was created by centuries of racist governmental policies; it cannot be solved with piecemeal, place-based strategies. [The attached 2019 op-ed “NYC’s Segregation Was Carefully Planned. Its Integration Must Also Be”](#) written by our executive director David Tipson explains the role of comprehensive planning in addressing the legacy of officially-created segregation in New York City. Similarly, in 2018 Council Member Brad Lander correctly noted in [Desegregating NYC: Twelve Steps Towards a More Inclusive City](#) that “[i]f the fair housing planning process is real, it must lead to comprehensive citywide planning, with desegregation as one of its goals, that sets the City’s agenda for growth and development going forward” (12).

While we are glad to see that the bill would require its “Conditions of the City report” to conduct an “assessment of segregation,” we do not believe that the bill goes far enough to identify integration as one of a paramount policy objective of comprehensive planning. Integration should be listed among the specifically listed “citywide policy goals” to be included in the “preliminary citywide goal statement” along with “goals to reduce and eliminate disparities across race, geography and socioeconomic status in access to opportunity and the distribution of resources and development,” etc. (intro. 2186, page 1, line 11 and following).

Without this and similar amendments, this legislation, if enacted, will continue to allow policymakers to avoid intentional policies to integrate New York City as they have for the last century. The City need look no further than its own abysmal 2020 *Where We Live* plan to see

how easily this can happen when the goal of integration is obscured – even in a report supposedly prepared in furtherance of a HUD rule to promote integration.¹

Finally, to ensure that the final comprehensive long-term plan contemplated by this bill serve as a meaningful guide to the city’s land-use and zoning policies, the bill must state explicitly that this final plan is intended to serve as authoritative evidence of the city’s “well-considered plan” for the purpose of state² and local³ law pertaining to the administration of zoning. If this statement cannot be placed in the legislation itself, then it should be stated in the committee report.

¹ See comments of New York Appleseed on the 2020 Where We Live draft plan available at <https://www.nyappleseed.org/our-response-to-the-where-we-live-report/> and those of the New York City Bar Association available at <https://s3.amazonaws.com/documents.nycbar.org/files/2020661-WhereWeLiveReport.pdf>.

² General City Law §20 (25).

³ New York City Administrative Code §25-111.



**New York City Council Committees on Governmental Operations, Land Use, and
Subcommittee on Capital Budget
Requiring a Comprehensive Long-Term Plan
Intro. 2186-2020
February 23, 2021
Emily Walker, Director of Outreach and Programs**

Good morning. My name is Emily Walker, and I am the Director of Outreach and Programs at New Yorkers for Parks (NY4P). I want to thank the Committees on Governmental Operations, Land Use, and the Subcommittee on Capital Budget for hosting today's hearing.

NY4P is testifying today in support of Intro. 2186, which would require a comprehensive long-term planning process for the city every ten years, and would create quantitative targets to improve our public realm. For too long, planning has been completed in the City on a piecemeal basis, and without true interagency coordination, resulting in systemic inequities throughout the five boroughs. While many planning decisions of the past cannot be entirely erased, a thoughtful approach to comprehensive, cross-agency planning would help ensure that future investments are made that can address these long-standing inequities.

In terms of open space and parks, the City has for too long relied on discretionary allocations from Council Members and other elected officials. NYC Parks is the steward of 14% of the City's land, and yet receives only around 0.5% of the City's operating budget to maintain and operate it. The agency receives a slightly higher proportion of the City's overall capital budget, however NYC Parks does not have its own discretionary capital budget, making it almost wholly reliant on Council allocations for park infrastructure improvements. We've long believed that this system needlessly politicizes the process for park improvements, while also overlooking critical infrastructure improvements that are needed, but that lack public support. Additionally, this uneven level of capital investment citywide has had the unfortunate impact of making park improvements a driver of displacement. Park improvements should be the standard citywide, not the exception, and we are encouraged that this legislation will help provide a better roadmap for park infrastructure investments and, vitally, the ongoing maintenance costs that accompany them, while also specifically enacting a displacement risk index to help counter these impacts.

We are also pleased to see that a Needs Assessment of infrastructure assets would be required by this legislation. NYC Parks has begun a Needs Assessment process, but the funding needed to

complete this process has not been provided for this work to be done with any expediency. A legislative mandate for this work would have a powerful impact on moving this essential process forward.

We look forward to weighing in on this legislative process as it progresses. For many years, NY4P has produced data for everyday New Yorkers to better understand how their communities are (or are not) being served by public space and City investments. Unfortunately, the Covid crisis has laid bare the fact that many communities lack access to the open space amenities needed to make their neighborhoods livable, and the current fiscal crisis has dealt a blow to the already thin staff ranks at NYC Parks. Intro. 2186 represents a starting point in helping the City to be more proactive and equitable in its planning and distribution of resources, and it could not come at a more critical time.

Thank you for allowing me to speak today.

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*For over 100 years, [New Yorkers for Parks](http://www.ny4p.org) (NY4P) has built, protected, and promoted parks and open spaces in New York City. Today, NY4P is the citywide independent organization championing quality parks and open spaces for all New Yorkers in all neighborhoods.
www.ny4p.org*

TESTIMONY OF ANDREW S. LYNN
ON THE PLANNING TOGETHER REPORT AND INTRO 2186-2020
SUBMITTED TO THE NEW YORK CITY COUNCIL GOVERNEMENT OPERATIONS
AND LAND USE COMMITTEES

February 24, 2021

Chairs Cabrera, Rosenthal and Salamanca, and members of the Committees. Thank you for the opportunity to submit this testimony on Intro 2186, requiring a comprehensive citywide long-term plan.

My name is Andrew Lynn. I have a long history with planning in New York City, as land use counsel to the 1989 City Charter Revision Commission and the Council Land Use Committee, Executive Director of the City Planning Department and Director of Planning at the Port Authority of New York and New Jersey.

First, I would like to commend the Council on a recent example of citywide planning that worked well and exemplifies how planning can succeed in New York City today:

- In 2016, the Speaker appointed the Independent Commission on Criminal Justice and Incarceration Reform Commission.
- In 2017, the Commission issued its report, A More Just New York, calling for the reduction in the prison population, the closing of Rikers Island prison facilities, and development of new borough prisons.
- In 2019, the City Planning Commission and the Council approved the ULURP approvals for four new jails.
- In 2020, the prison population was reduced, as a result of bail reform and other initiatives, to its lowest level in over 40 years.

This success story is one example of how effective planning is being done under the current City Charter when the Council, the Mayor and city agencies take the initiative. While the planning was ambitious and citywide in scope, it was targeted on a defined problem, and that focus enabled a consensus to emerge in support of change.

I am a big believer in urban planning, but I find it hard to imagine how a comprehensive citywide plan taking on the myriad challenges of a city of over 8 million, with its vast capital needs, varied neighborhoods, and ever-changing economy, could succeed. I urge you not to approve Intro 2186.

All the tools for successful citywide planning are in place today. There is no need to change the City Charter, except perhaps to eliminate unnecessary dictates for plans that have accumulated over the years. The best planning occurs when policy makers take the initiative to establish shared goals and to address defined problems. It does not occur because a requirement for planning has been written into a statute book. The many plans listed in your report that are already mandated by law, but have not resulted in useful plans, illustrate this point.

New York City is too large and too complicated for a comprehensive plan. Preparing a plan on such a vast scale, coordinating city agencies, undertaking public review, completing

environmental review, and modifying the plan in response to comment would take longer than the proposed legislation suggests and divert resources from the issues and neighborhoods most in need of attention.

The massive document resulting from the comprehensive planning effort would be an odd amalgamation of several different kinds of planning. The product would likely be a dumbed down version of what could be achieved with distinct plans focused on major citywide issues or distinct neighborhood needs. Would the planning for Rikers Island and the new borough jails have been as successful if it was incorporated into a comprehensive citywide plan?

Successful planning requires the flexibility to respond to the ever-changing environment in a dynamic city like New York. As soon as the massive comprehensive plan envisioned in this legislation was completed, after years of preparation, there would be a need to revise it in countless ways. This would be difficult for a document of this scale, intertwined with an environmental review. Over the past 20 years, we have lived through 9/11, the Great Recession of 2008, Super Storm Sandy and the COVID-19 pandemic – each of these events has altered the landscape and required fundamental rethinking of how we plan and build. The City needs a nimble approach to planning – not a 22nd century urban equivalent of a Soviet-era five-year plan.

A comprehensive plan that delves down into neighborhood detail is unlikely to achieve the broad consensus required to enable successful implementation. We have tried this before. The 1969 Plan for New York City (the City's last comprehensive plan) became a lightning rod for criticism of centralized, top-down planning the moment it was released. Not long after, a new Chair of the City Planning Commission put aside the 1969 plan and refocused on neighborhood planning. When a new Mayor takes office, he or she may want to lead the City in a different direction from the previous administration. Should the new Mayor be hamstrung by a plan designed by the thinking of a predecessor and agency commissioners who have left office?

The City certainly needs good ambitious planning, but the planning should be targeted on the areas in the City where development is occurring or should be occurring, where poverty is acute, where capital investment is most needed, and where the zoning requires revision. A focus by topic or geography can produce results. Plans that address affordable housing or waste water treatment or park deficits in certain communities or resiliency in response to sea-level and climate change, or the need to reduce carbon emissions – all make sense and are critically important. But bundling them together would create a monstrosity.

The City has found a promising approach to citywide strategic planning, designed to forge agreement on long-term goals, set targets and establish a general path forward. Every four years, the Mayor's Office produces a sustainability plan, as required by Section 20 of the Charter, that addresses a broad range of citywide issues. PlanYC and OneNYC have provided a framework for the City's planning efforts, in a readable publicly-accessible format. If the Council finds these efforts wanting, a better approach would be to take steps to improve these efforts, rather than shifting wholesale to a comprehensive plan of daunting complexity and detail. If there is a need to integrate more detail on equity, affordable housing or zoning, then adapt the sustainability plan. If the concern is that the content of the plan is not translated into the capital program, consider engaging the Department of City Planning in that effort.

Comments re: Int. 2186

To whom it may concern:

I am excited about the possibility of comprehensive planning. The city has a terrible housing shortage, and there is no proactive, citywide housing policy to ensure we are producing enough housing to meet our needs. Comprehensive planning with district level targets allows for informed decision-making and can help ensure that every part of the city builds its fair share of housing.

But this plan needs some changes. First, we should include a set of “necessary minimums” to accompany each target. Targets for housing should always take the form of a minimum number of dwelling units serving different income levels and household sizes. Most importantly, these minimums should not be subject to Council approval.

Second, council members should not be permitted to "call up" land use applications consistent with the comprehensive plan if their particular districts are not meeting their housing targets. The “call up” procedure has the potential to significantly undermine the implementation of the plan once adopted, and there is little guidance about when it would be used. Given the recent history with neighborhood-wide rezonings, one can imagine a situation where the Council “calls-up” rezoning applications in higher-income neighborhoods but lets rezonings in lower-income ones sail through. This should be prevented.

Thank you,

Ankur Dalal

210 W 90th St, Apt. 7J

New York, NY 10024



BOC Network Testimony on Comprehensive Planning Proposal

February 26, 2021

On behalf of BOC Network, I am writing to discuss our organization's initial thoughts on the proposed Comprehensive Planning initiative. BOC Network provides a collective voice in advocating the needs and interests of industrial and manufacturing businesses in Central Queens and East Brooklyn in New York City.

BOC Network believes that a proactive comprehensive approach to community planning is necessary to identify goals for future community growth and incentivize the sorts of developments that align with these goals. Presently, development in our Industrial Business Zone is largely driven by private developers seeking opportunities to undertake developments that may or may not be conducive to industrial job growth. Additionally, these developments are not considered in the context of local infrastructure constraints and other pressing community needs. We frequently meet with property owners and developers to review their proposal to determine if it complements or at very least does not undermine industrial job growth. A more proactive approach to community planning could bring together stakeholders to identify local growth priorities and streamline individual development requests. It could examine each community in the context of its role within the borough and NYC, and set forth clear goals for future development. Comprehensive planning can consider a wide range of variables including transportation, housing, equity and other social issues rather than rely upon making individual land use decisions one after another independent of other community needs.

BOC Network believes that there are many positive attributes to the Comprehensive Planning proposal. It can improve cross-agency coordination, elevate proactive planning efforts beyond city agencies, analyze projected needs of the city and community and chart a plan for growth in each unique community in our city. However, in order to ensure true economic equity it must distribute assets and municipal functions among communities

Thank you,

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February 23, 2021

**Written Testimony of Brad Vogel, Gowanus Resident
Re: Intro 2186 – Planning Together (Comprehensive Plan Bill)**

Dear Committee on Governmental Operations,

While New York City might obtain some benefits from comprehensive planning, this measure is certainly not the way to do it. **Please vote against Intro 2186, the “Planning Together” bill.**

Intro 2186 in its current form is fundamentally flawed. Absent major changes that re-cast the entire top-down structure proposed, it should be voted down.

Our current planning-via-zoning ULURP paradigm of rezonings is like a pinball machine where neighborhoods and communities are allowed to fire a pinball up into the bureaucratic machine. However, no matter how adept grassroots groups may be at keeping the ball ricocheting around, the sounds and light eventually cease: everyone knows the ball must roll back down into the gutter on such a slanted ULURP playing field. Virtual ULURP is even worse: communities must try to keep the pinball bouncing with one hand tied behind their back.

The Planning Together bill is worse than both of these scenarios. It throws out the deficient pinball machine and brings in an arcade game where even the pretense of advisory community input is radically reduced. No hands or thumbs are needed with this game – they would be of no use: public hearings at the community board and borough president level are removed entirely. The game under the new bill is fully rigged to ensure development happens, facilitated by an unelected “Director”.

This is the fundamental problem with the proposed legislation: instead of truly empowering communities for once, it seeks to prioritize real estate developers and unelected public officials. A comprehensive planning paradigm for New York needs to start at the bottom – with community plans originating with empowered community boards or local elected councils by district - and work up rather than the other way around.

Given this arrogant, elemental flaw in the bill’s overall approach, please vote NO on Intro 2186. We can do much better as a city.

Best regards,

Brad Vogel
Gowanus, Brooklyn

CITY COUNCIL JOINT HEARING
COMMITTEE ON GOVERNMENT OPERATIONS
COMMITTEE ON LAND USE
SUBCOMMITTEE ON CAPITAL BUDGET
FEBRUARY 23 2021
TESTIMONY OF CARL WEISBROD

My name is Carl Weisbrod. I am a Senior Advisor at HR&A Advisors, but I am testifying here in my individual capacity.

Thank you Speaker Johnson and Committee Chairs. I welcome your interest in planning and appreciate you giving me the opportunity to testify today.

I am a former Chairman of the City Planning Commission and a former President of the City's Economic Development Corporation. I have been involved in planning issues in New York City for the past half century, including as Executive Director of the Department of City Planning in the 1980s. I have also advised cities on planning issues across the country and around the world.

I was a member of the 2019 City Charter Commission established by Speaker Johnson, which contained representatives appointed by all of the citywide and borough wide elected officials. That Commission considered proposals for comprehensive planning, including one exceptionally similar to what is before you today. We decided then not to present it to the voters for their approval. That proposal, as this one, would require significant changes to the City Charter, some of which are beyond the authority of City Council to make and would require the approval of the voters in a referendum.

Beyond the legality of what this bill purports to accomplish, however, I have serious concerns with its substance.

I was in city government when the last comprehensive planning effort was undertaken in the 1960s. It was dead on arrival for one simple reason: it took so long to create that it was no longer relevant. But its ultimate irrelevance was also a recognition of the need to move to community and neighborhood planning. The bill before you would be a major step away from community planning.

All of us can agree that planning for our complex city can be improved and I agree with many of the goals this bill purports to achieve. When I was the Chair at City Planning, we created a Regional Planning Division – an outgrowth of OneNYC – which has done some amazing work which many of you have seen. We also created a Capital Planning Division to further coordinate planning with the city's capital budgeting. One of the errors of the 1989 Charter changes, in my view, was in not restoring the Department of City Planning's full partnership with OMB in the capital budget process.

But the bill before you does little to address the real challenges of planning in our city – or even the pressing issues that seem to concern the Councilmembers the most. In many respects, it would make things worse – with potentially devastating impacts for both the city as a whole and for our neighborhoods.

Given my limited time, let me simply list my most serious concerns with this legislation:

1. Instead of strengthening the relationship between OMB and City Planning – the critical agencies in assuring that our investments reflect our planning objectives – it would weaken it.
2. This proposed comprehensive plan – which would take years to create and hundreds of millions of dollars that we cannot afford to spend – would not be binding on the City Council itself.
3. The Generic EIS that this plan would require, would be extremely costly and so general, that it would be of virtually no utility because individual projects would still require their own costly and time consuming environmental impact statements.
4. While the goal is equitable growth and impacts among neighborhoods – a goal we all share - this approach actually further empowers the most affluent neighborhoods by allowing their elected officials to veto any development, irrespective of the so-called comprehensive plan. Indeed,

there is nothing in the proposal that actually incentivizes affluent neighborhoods to bear its fair share of growth and affordable housing.

5. The timing of the various inputs and studies assures that no Mayor could be held responsible for any element of it, basically tying his or her ability to act nimbly in response to quickly changing conditions.
6. And this wouldn't be good for local neighborhoods either. It would reduce initial planning in communities to, essentially, check the box, multiple choice answers, which could simply be ignored in any event.
7. At a time when we should be making our city government more responsive to communities and more nimble in responding to the fast paced changes of our complex city – the most complex urban center on the planet – this proposal actually transforms it into a jar of molasses, for the benefit of no one.
8. To adopt such radical legislation in the last months of a Mayor's term and in the last months of most members of this City Council's terms, is the very opposite of long-range planning and representative government.
9. Perhaps, most disturbing is that this legislation opens the door to an even greater incursion and control by the state into city affairs. Cities which have adopted comprehensive plans have done so largely pursuant to the demands and requirements of their state governments. Moreover, the complexity of this plan, if adopted, will drive, on many projects, property owners and future Mayors themselves into the arms of the state process which would eviscerate local control and representative government altogether.

I do work for cities all over the world. New York City, more than just about any city on earth, has an unusual degree of independence and flexibility from its national and regional governments. It is an important part of our greatness. We shouldn't endanger it.

Finally, let me reiterate that our planning process certainly can use improvement and there are nuggets and goals in this bill that would be most helpful. I would be happy to give you some of my suggestions for doing so. But this specific legislation would be a step backwards, not forwards.

**STATEMENT TO CITY COUNCIL COMMITTEE ON GOVERNMENT OPERATIONS
REGARDING PLANNING TOGETHER HEARING: FEBRUARY 23, 2021
BY LO VAN DER VALK, PRESIDENT, CARNEGIE HILL NEIGHBORS
(Further statement to hearing testimony offered.)**

February 26, 2010

Further to our oral testimony at the February 23 hearing regarding Intro 2681 (Planning Together) we offer the following

Carnegie Hill Neighbors supports two of what we understand to be among the main goals behind this effort: greater equity for all New Yorkers and between Community Board (CB) districts and the streamlining of land use decision making.

We strongly support the recommended periodic collection of the conditions of the city data built up from disaggregate CB data, which is something entirely new and truly essential if we are to meet these goals. In fact, we view the provisions in the bill for data collection, assembly and presentation as something that could stand alone as a separate bill and receive almost universal support.

However, we have a number of concerns regarding other aspects of the bill:

The bill is hard to fully understand, which we feel is essential to offering our opinion. The scope is very comprehensive and the material is complex – witness the disagreement on factual interpretations between Speaker Corey Johnson and CPC Chair Marissa Lago at the February 23 hearing.

More specifically, a major issue concerns whether the CB selected scenario will function as a type of rezoning is not clear. This is especially so because the CB selected scenario will be backed up by a finalized EIS (environmental impact statement) which is an important and high profile requirement for all ULURP rezonings. We need more clarification on this.

We still await a formal presentation to Manhattan Community Board 8 by the City Council, where we hope further clarifications will be made.

For these reasons we still defer our opinion on the matter until we have learned more.

We sincerely hope the Committee will be open to subsequently submitted opinions.

Thank you again for taking on this worthwhile project.

Lo van der Valk, President
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Testimony on Intro. 2186 to Amend the New York City Charter, in Relation to Requiring a Comprehensive Long-Term Plan

*Submitted to the New York City Council's Committee on Governmental Operations,
Committee on Land Use, and Subcommittee on Capital Budget*

February 23, 2021

Sean Campion, Senior Research Associate, Citizens Budget Commission

Thank you for the opportunity to testify on Intro. 2186. I am Sean Campion, Senior Research Associate at the Citizens Budget Commission (CBC). CBC is a nonpartisan, nonprofit think tank and watchdog devoted to constructive change in the finances and services of New York City and New York State.

Intro. 2186 proposes a new comprehensive planning framework that would reform the City's land use and capital planning process. Under the proposal, the City would revamp its approach to long-term planning, require the City to conduct a thorough capital needs assessment, and more tightly integrate land-use planning with capital budgeting.

CBC has long supported reforms to the City's capital planning process, including many components that are included in the proposal. CBC has advocated linking the Ten-Year Capital Strategy with the City's strategic plans and has urged the City to conduct a comprehensive capital needs assessment that identifies its state of good repair needs. Without a solid grasp of citywide infrastructure needs or the benefits associated with infrastructure improvements, elected officials lack the information to prioritize capital investment properly. An expanded, improved needs assessment would represent a step forward.

CBC also supports efforts to expand appropriately the scope of the City's long-term planning efforts. The lack of a citywide approach to zoning and land use issues has limited the City's

ability to grow in recent years. Patchwork zoning changes have left New York City with an outdated zoning resolution that fails to meet the needs of a modern, growing city. Identification of clear goals and metrics would advance efforts to ameliorate the City's housing crisis; create, attract and retain jobs; and become more resilient and sustainable.

Thus, while CBC supports many of the proposal's goals, the design and parameters raise concerns, especially regarding the proposed capital planning reforms:

- **Tying capital reforms to land use reforms is not necessary.** Improvements to the City's asset management process are needed, but do not need to be tied to a wholesale revamping of the strategic planning process that includes land policy. Many of the most-needed capital planning improvements do not rely on or benefit from a strategic planning framework oriented around land use. While strategic planning can help agencies and budget officials prioritize capital spending, particularly for expansion projects, these projects represent less than a quarter of the City's capital plan. Seventy-eight percent of spending in the Preliminary Fiscal Year 2022 Ten-Year Capital Strategy— more than \$92 billion— is for state of good repair needs or programmatic replacement, and this likely underestimates the actual state of good repair need. Furthermore, the timelines and investment horizons for maintaining critical assets and infrastructure in a state of good repair may not align with the ten-year cycle in the proposed comprehensive planning framework.

A more coordinated, consistent approach for managing our assets would include better inputs about conditions and needs, and clear goals and metrics about how best to achieve and maintain a state of good repair. Reforms to the capital planning process for the majority of the City's capital projects do not rely on a broader planning reform package.

- **Proposed changes to the structure and timing of capital budget reports would decrease their usefulness.** The proposal would change both the purpose and structure of the Ten-Year Capital Strategy (TYCS) and the Capital Commitment Plan (CCP). Under the proposal, the TYCS would move from a two-year update cycle to a five-year update cycle and transform into an estimate of state of good repair needs and a list of expansion projects identified in the new planning process; both would be independent of funding availability. The proposal also would extend the CCP to cover what the Administration plans to commit in the upcoming 10-year period, effectively replacing the current TYCS as the capital budget planning document.

Currently, neither report meets its intended goals. The TYCS includes an unrealistic timeline for capital projects, while also overestimating commitments in the initial years

and underestimating commitments in the back half of the plan; it lacks metrics to determine whether the City is investing appropriately in state of good repair, in part due to the inadequacy of the Asset Information Management System (AIMS); and it lacks indicators to measure the City's progress towards implementing its strategic goals. Likewise, the CCP does not relate back to TYCS thematic categories; does not allow the public to determine how much the City invests in state of good repair versus expansion; and is organized around budget lines that are often too broad to provide meaningful context. Coupled with the inadequate AIMS report, the reports fail to give a comprehensive picture of the City's capital needs or its planned spending.

The changes proposed in the reform package do not address these problems, and in some cases, would diminish the usefulness of each report as budget documents. The TYCS should reflect how the City plans to prioritize investments given its overall needs and its financial outlook. The Strategy would adequately cover long-range capital planning needs if it were aligned with a comprehensive needs assessment, an assessment of affordability, guided by measurable goals and objectives as intended in the Charter. The proposed changes would diminish the usefulness of the TYCS as bridge between the City's needs assessments and the commitment plan, as intended in the Charter.

Furthermore, biennial updates to the TYCS allow the City to respond quickly to changing conditions and needs. Moving to a five-year cycle would mean that the Strategy quickly would grow outdated.

Similarly, improving the CCP would require it to be aligned better with TYCS strategies and investment categories. Without the TYCS in its current form, the CCP would need additional structural changes to address these issues.

- **Devolving budget planning authority will not improve outcomes.** The Mayor should retain the role of submitting a capital budget to the Council and the right to propose how to prioritize investments based on strategic planning documents, a revamped AIMS report, or a newly conducted comprehensive physical needs assessment. The Mayor, through the Office of Management and Budget (OMB) and mayoral agencies, also should conduct and oversee the needs assessment process. This does not mean there is not a very important role for the community in planning or for input from the City Council. But critical to the process is balancing citywide needs and community needs and desires. Compiling the capital budget from the bottom-up risks not adequately addressing citywide needs just as developing without any input from the community or Council would risk ignoring local needs and desires. A large share of the capital program, such as

new water tunnels or DEP's upstate land acquisition programs, provide citywide benefits that may not emanate from a community district-level planning process. The proposal correctly maintains the mayor's budgetary authority; this should not be weakened or modified.

CBC currently is conducting research into the land use process, and as such, is not ready to posit a conclusive view on the land use provisions of the comprehensive planning proposal. Still, it is important that any changes to the strategic planning process should drive towards measurable results, such as increasing capacity for appropriate as-of-right residential and commercial development, improvements in the city's resiliency and sustainability, and advancing fair housing, among other goals. Additionally, a strategic plan is only as good as its implementation design; extreme care should be taken when adding new processes, requirements and organizations since they could slow or thwart progress towards those outcomes or unnecessarily increase costs.

Thank you again for the opportunity to submit testimony, and we look forward to working with the City Council, advocates, and others on these issues in the months and years ahead.

Citizens Budget Commission Reports on City Capital and Strategic Planning

What New Yorkers Can and Cannot Learn from the Ten-Year Capital Strategy

<https://cbcny.org/research/what-new-yorkers-can-and-cannot-learn-ten-year-capital-strategy>

Strategies to Boost Housing Production in the New York City Metropolitan Area

<https://cbcny.org/research/strategies-boost-housing-production-new-york-city-metropolitan-area>



Collective for Community, Culture, and Environment Testimony on Intro 2186, February 23, 2021

The Collective for Community, Culture, and Environment is an all-women-owned consulting business and interdisciplinary professional network that works on planning, design, and research to further economic resilience, cultural diversity, public health, social justice, and environmental sustainability in New York City and beyond. We thank the Council for the opportunity to testify today on this very important issue.

Some of our members and affiliates have been involved in the advocacy for a citywide comprehensive planning framework for more than 20 years. This work dates back to the Campaign for Community-Based Planning, which launched in the year 2000, and brought together over 100 CBOs, elected officials, academics, and advocates from all five boroughs around a platform to elevate the voices of everyday residents in the decisions that affect their lives by: 1) reforming community boards to ensure that they accurately represent the populations they serve 2) creating an Office of Community Planning to provide technical assistance to community boards and organizations that engage in planning work 3) give teeth to community-based plans and 4) create a citywide comprehensive planning framework that spells out targets and benchmarks while balancing citywide and local needs.

We are pleased that after so many years of advocacy, this idea has gained traction, yet we do have some concerns about the legislation as currently proposed. As stated in *Planning for All New Yorkers*, the Campaign's report, released in 2010: "We need to reform the way the government plans our communities. This means strengthening both top-down and bottom-up planning. At this point, the weakest part is bottom-up planning. Time and again, communities feel left out of the process entirely, or feel that their participation ended up making little difference in the long run. Both the City and communities become consumed by rezonings—many of them contentious—that do not emanate from real planning and do not address the multiplicity of local or citywide needs and problems. Communities get frustrated. Development gets delayed. Land use decisions wind up being made in the courts. Faith in government erodes."

Little has changed in 11 years. It is clear now from the recent wave of protests and lawsuits that the way the City has been engaging in planning remains broken. The de Blasio administration has provided no clear rationale as to what neighborhoods would be targeted for rezoning over others, and has primarily chosen neighborhoods where implementation of Mandatory Inclusionary Housing barely provides any affordable housing options for current residents. Simultaneously, our members have spent countless hours working with residents of Manhattan's Chinatown and Bushwick, Brooklyn on community-initiated and led plans, only to have both of those plans shelved by the City. Completed 197-a and other community-generated plans have been essentially left unimplemented, in particular recommendations that involve



multiple agencies. Land use and zoning recommendations are often ignored or modified, especially when they do not match the desires of development applications.

We agree that a comprehensive planning framework is a critical step toward achieving a more equitable city, where each community is called upon to do its part for affordable housing, critical infrastructure, environmental justice, etc. We hope that the leadership of a Mayoral office will make it more holistic and comprehensive and will facilitate interagency coordination. We believe this bill is a step in the right direction, though we are concerned with the haste with which this bill is being reviewed, and are concerned that our community allies have not had adequate opportunity to give the bill a thorough review.

Additionally, we believe that in order to be truly effective and actually further equity, comprehensive planning must:

- **Be prescriptive about the goal of addressing the city's racial and economic disparities.** This must be the framework's guiding principle. We believe the bill's language and the planning process it proposes need to be strengthened in this regard.
- **Require review and incorporation of existing community-based plans into the framework.** As mentioned, many communities have already poured countless hours of work into visioning for their own futures, and this work must be acknowledged. The comprehensive planning framework and community plans must work together. Unfortunately, the current proposal reads like top-down decision-making rather than a collaborative process. Instead, plans done by community boards and other community-based and advocacy groups - including 197as and local and issue-based plans - should be seen as the building blocks informing the framework.
- **Include meaningful public participation and input.** We have seen the way that the City currently solicits "input" on its planning processes. Depending on the agency taking the lead, these processes can be meaningful, or they can be tokenizing open houses that ask residents to put some post-its on big boards describing decisions that have already been made without them. The legislation must be more specific about the goals and format of the public input process to ensure real participation.
- **Reconsider membership of the Steering Committee.** How its members are selected and the amount of power they have represents a professionally elitist approach that could be seen as insulting to "community knowledge" and is in many ways just as bad as the current situation. To quote Eddie Bautista, "if you are not at the table, you're probably on the menu." Furthermore, the methodology for establishing the three preferred scenarios must not be left to the whims of a Steering Committee, but rather the legislation must ensure that this happens in real conversation and partnership with the



impacted community. Choosing from a list of three options created by the City is not meaningful engagement.

- **Provide more time and support to communities.** Providing less than six months for community boards to respond meaningfully to the framework is unrealistic even with necessary reforms and support (see below). The provision allowing the Director to choose a preferred scenario when community boards cannot respond in time seems designed to expect them to fail and place the power back in the City's hands.
- **Have teeth.** The bill requires ULURP applicants to submit a statement of alignment with the framework, but it is unclear what will be included in this statement and how it will be used. The legislation should outline exactly how applicants must analyze and document how their proposals comply with the framework, and specify that before certifying any proposals, the City Planning Commission must meet specific findings that define what constitutes alignment and publicly document in detail their determination that the findings have been met.
- **Reconsider the Generic EIS and the ULURP call up process.** This proposal is troubling. How, in a City like NY can all of the issues currently considered in an EIS be accomplished for each context and potential application in a Generic EIS? Furthermore, the proposal that ULURP would only go to City Council if "called up" means that communities who feel they have been unheard or not respected will continue doing the same political advocacy and legal challenges as they are doing now. If the comprehensive planning framework has been designed well, with adequate public participation and "buy in", and the CPC determination of alignment has met findings and documented their decision, there should be no reason why, in the name of avoiding delays, the City Council as the City's legislative body should not have the final vote.

Additionally, we believe there are two critical things missing from this legislation. The Campaign viewed its priorities - a comprehensive planning framework, community board reform, and technical assistance for communities - as a package, and we are concerned that the framework might move forward without these other reforms. Community board members tend to be whiter and wealthier than the average resident in their district, and also are more likely to identify as male, to own their homes, and to drive cars. We know that community board reform has been a politically toxic issue, but if this Council truly believes, as we do, that comprehensive planning is a racial equity issue, we encourage you to have the courage of your convictions and undertake a process to diversify these boards before we task them with making critical decisions about the city's future.

In addition, we realize that planning is complex - its technical nature marginalizes and leaves out those without formal training. The City must address this by creating an Office of Community Planning - or, at the very least, providing a professional planner for each



community board, as well as required trainings for all members. Also, it is unclear how alignment with the comprehensive planning framework will be applied in community boards' ULURP, budget and service delivery deliberations and decisions. Is the assumption that CPC determination of alignment at certification is to be the only alignment review? We believe these questions are critical.

In conclusion, the Collective wants to thank Speaker Johnson and Council Members Reynoso and Lander for the work you have done to move the need for a comprehensive planning framework forward. We share your enthusiasm for the idea, and want to work with you to make sure that we take this opportunity to do it the right way. We are attaching the Campaign's report from 2010 for your reference, and are available to answer any questions you may have for us as you move this bill toward adoption. Thank you and we look forward to working with you.

69-0 58th Road
Maspeth, NY 11378

February 26, 2021

Re: Intro. 2186-2020

Dear City Council,

I watched the entire *Planning Together* (Intro. 2186-2020) hearing on February 23, 2021 and I must say I was disappointed not only in the way the hearing was conducted but also how the council members showed enormous disrespect toward Marisa Lago, Chair of the City Planning Commission.

Mr. Lander and Mr. Johnson displayed misogynistic behavior during their questioning, repeatedly cutting Ms. Lago off as she was responding. They each went well over their 5 minutes of allotted time to forcefully interject their own opinions instead of listening to the testimony of the planning expert. Mr. Reynoso sneered at Ms. Lago, stating that he knew she wouldn't answer his questions before he had even asked any. This behavior is unbecoming for elected governmental officials.

The council rules should allow for testimony to be communicated without intimidation by council members.

It was similarly disturbing to see the members gently question testifiers in favor of the bill then disappear while those testifying against it had their turn to speak.

I am opposed to *Planning Together* because it is not a comprehensive planning bill, it is a housing bill, and would undo all of the hard work that communities throughout NYC did to rezone their neighborhood. Robert Moses' 1961 zoning plan allowed for growth of the city to a population of 16-20M people; here we are 60 years later, and we only have ~8.1M people – with residents leaving in droves over the past year – and a glut of empty residential units. This is not the time for a bill such as *Planning Together*. It is unnecessary and the Council should instead focus on leading the city out of the COVID-19 pandemic, which is what your constituents want and need in 2021.

Thank you.



Christina Wilkinson

Testimony of Michael Hollingsworth
Member, Crown Heights Tenant Union (CHTU)

New York City Council
Hearing on Committee on Governmental Operations w/ Land Use Co and Capital
Budget SubCo
February 23, 2021 - 10:00pm

Good afternoon. My name is Michael Hollingsworth, and I'm a rent-stabilized tenant and member of the Crown Heights Tenant Union (CHTU), an autonomous, tenant-led, all-volunteer union of tenant associations with member buildings in the 35th, 36th, 40th and 41st NYC Council Districts.

I come from a city council district that has been under siege for the past seven years. We've seen a string of developer driven land deals from the Bedford Union Armory in 2017, to the racist rezoning of Franklin Avenue in 2018 and the forthcoming disaster that is 960 Franklin Avenue.

I strongly believe that a comprehensive city-wide plan is needed. But with this current city governments track record as it relates to housing, rezoning and land use decisions, I also strongly believe you are not the group to implement such a plan.

27 January 2021

NYC's Comprehensive Plan

The City Club, through its Urban Design Committee, is considering whether the City of New York should be required to have a comprehensive plan. The discussion has addressed both the process and the content, or at least the character of the content, of such a plan. The process of establishing and maintaining a comprehensive plan needs to be open and fair, recognizing that each participant brings knowledge, experience, and dedication that needs to be reflected in the content of the plan.

The zoning resolution is not a plan. It is a regulatory document that should effect some elements of a plan. A comprehensive plan should include a wide range of social, economic, environmental, and spatial and non-spatial factors including location of burdensome and beneficial uses, transit, education, and health issues -- all issues not covered by a zoning resolution. The process of planning done correctly and honestly with the community is in itself a community building process worthy of engaging in. The process of planning is one that has the ability and the obligation to implement policies to achieve equity, equality, and inclusion.

Below is a summary of the issues that have been addressed by the committee.

Should NYC have a comprehensive, well considered, plan?

Yes.

A comprehensive, well considered, plan should be good for everyone.

- It would involve all of us in the creation and maintenance of a shared vision for our city and its neighborhoods.
- It would provide predictability for communities, property owners, developers, elected officials, and municipal and state agencies.
- It would provide an agreed plan on which to base the expeditious adoption of regulations, such as zoning.

- It would make it easier to base actions on the intention, and not just the words, of a regulation, such as zoning.
- It would promote coordination among agencies at neighborhood, community, borough, city, and regional levels.
- It would allow for more rapid approval of projects and proposals consistent with the plan.

Is the Zoning Resolution NYC's comprehensive, well considered, plan?

Yes and No.

NYS law requires NYC to base its land use regulations on a comprehensive plan. However, the law allows two versions of a comprehensive plan: statutory and common law. (See *Zoning and the Comprehensive Plan* for a discussion of the distinction between the two approaches https://www.dos.ny.gov/lg/publications/Zoning_and_the_Comprehensive_Plan.pdf .) The statutory approach calls for the adoption of a defined comprehensive plan on which zoning is based; the common law approach accepts the existing regulations and their history as the comprehensive plan. The latter approach allows the City to treat the zoning resolution as its comprehensive plan.

Using the Zoning Resolution as a comprehensive plan is, therefore, legally permissible but fundamentally wrong. Why?

- Zoning is but one tool in a regulatory regime intended to implement a common vision for our urban environment. Other tools include the City Map, the building code, the State Multiple Dwelling Law, street design standards, park design standards, landmark designations, development incentives such as J51 and 421a, inclusionary housing programs, industrial retention programs, measures to deal with residential displacement, the capital budget, and more.
- The Zoning Resolution addresses only a portion of our urban environment and is therefore not comprehensive. It deals only with land use and building density and form. It does not address matters outside of zoning, such as providing schools or parks or subways. A comprehensive plan would address much more than the Zoning Resolution does.

What would be included in a comprehensive plan?

Everything.

- Sustainability
- Environmental justice.
- Fair Share.
- Transportation.
- Economic development.
- The Capital budget
- The City Map, including changes to the City Map to elevate or discontinue flooded streets.
- Community facilities, such as libraries, schools, hospitals, jails, courts, fire houses, and municipal buildings.
- Open space, such as parks, school yards, shared streets, and POPS (Privately Owned Public Space).
- The zoning resolution, including land use, density, bulk, open space, parking and other provisions.
- Housing, including programs for affordability, constraints on eviction, conversions of commercial buildings, and other approaches.
- Historic preservation.
- Infrastructure, such as streets and utilities.
- And more.

What might a comprehensive plan for NYC look like?

In 1969, during the Lindsay administration, NYC's Department of City Planning published *Plan for New York City*. (<https://digitalcollections.nypl.org/items/c42cb93f-8f3d-ca65-e040-e00a18064e5c/book?parent=8b252450-c603-012f-14f1-58d385a7bc34#page/595/mode/2up> .)

The plan was in six volumes: the first volume addressed the general vision for the city and the following five volumes spoke to what was happening in each of the five boroughs. The borough volumes had an overview of the borough and a chapter for each community district. It also had additional chapters for special planning and urban design projects. The document was part vision and part inventory. (See CityLand for a discussion of the creation of the plan with former CPC chair Don Elliott: <https://www.citylandnyc.org/former-cpc-chair-discussed-1969-plan-for-new-york-city/> .)

More recently the Bloomberg administration published *PlaNYC* (http://www.nyc.gov/html/planyc/downloads/pdf/publications/planyc_2011_planyc_full_report.pdf) and the de Blasio administration published *OneNYC* (https://onenyc.cityofnewyork.us/wp-content/uploads/2018/05/OneNYC_Progress_2018.pdf .) Both offered a counterpart to the vision

volume of the 1969 document without offering counterparts for the borough volumes and community chapters.

A comprehensive plan for NYC should include a city-wide vision, borough views, and community centric plans. The city-wide vision rightly comes from the administration after consultation with all. The borough views, led by the borough presidents, provide the interface between the City vision and the community plans. The community centric plans (which are currently provided for by section 197a of the City Charter which encourages local groups, including community boards and borough presidents, to prepare plans) reflect the special circumstances of each community district.

It is essential that the comprehensive plan not be, or be perceived to be, a top-down process. It is essential that all parties – mayoral administration, borough presidents, and communities – have responsibility for their tiers of the plan.

A comprehensive plan needs to comprise at least three dimensions:

- It needs to address the full range of issues that concern a location.
- It needs to address the issues at the appropriate geographical levels – community, borough, city, region.
- It needs to address the issues as they evolve over time.

A well considered comprehensive plan needs to coordinate horizontally as well as vertically: horizontally among the many categories of planning – land use, transportation, education, economic development, social services, housing, environment, and more – and vertically among the various levels of planning – community, borough, city, and region.

See *Planning One Great City for All*: <http://cityclubny.org/planning-one-great-city-for-all/>

For example?

The city tier of the plan might establish a policy to have bicycle parking at transit stations to encourage the use of both modes; the borough tier might determine how much parking to provide at which stations; and the community tier might identify where to put the bicycle parking and how to operate it – self parking in part of an adjacent car parking lot, attended parking in the station, and so on.

The city tier might determine that school playgrounds should be open for neighborhood recreation when not being used by the school; the borough tier might establish which playgrounds are where more recreation is most needed; and the community tier might say what types of recreation should be provided and how each school yard might need to be redesigned.

The city tier might establish goals for the amounts and types of additional housing needed for the existing and future population; the borough tier might identify neighborhoods that could accommodate additional housing; and the community tier might designate sites and areas appropriate for various kinds of housing.

Is a comprehensive plan too difficult for NYC?

Maybe.

The 1969 *Plan for New York City* was not submitted to the Board of Estimate or City Council for approval and neither *PlaNYC* nor *OneNYC* were submitted to the City Council for approval, as required by the statutory approach to establishing a comprehensive plan.

One anticipates that preparing and adopting such a plan would be contentious and procedurally difficult. However, one hopes that the process would be constructive for all involved, fostering democratic deliberation and giving citizens, municipal employees, and elected officials experience with better governance. One also hopes that achieving a shared vision for the future of our city would facilitate the implementation of the plan and expedite the review of projects consistent with it.

A potential advantage of this being a legislative initiative of the City Council is that the council members may feel a responsibility to adopt the plan when it reaches the Council.

Should the lead agency for the comprehensive plan be the Department of City Planning or OLTPS (the Mayor's Office of Long Term Planning and Sustainability)?

The lead agency needs:

- To have the capacity to do the planning, coordination, and other work to assemble the plan and keep it current.
- To be effective at the city, borough, and community tiers and at regional coordination.
- To be controlled enough by the mayor to have his or her confidence and at the same time independent enough to have the confidence of the borough presidents and the community boards.

One approach might be to combine the resources of the two agencies under the review of the City Planning Commission while making the commission more independent.

Consider:

- Expand the commission from the current 13 members to 15 members, five appointed by the mayor, one each by the borough presidents, and five by the City Council.
- Commissioners to serve five year staggered terms (three terms to start each year).
- Commissioners to not serve beyond the end of their term, unless reappointed.
- The chair of the commission to be elected by the commissioners, rather than appointed by the mayor.

Should community boards be changed to better represent their communities?

Yes.

The members of a community board should be selected to better reflect the composition of the community. It would also be helpful to have some members of each board qualified in relevant professions, such as city planning, architecture, urban design, historic preservation, and municipal management.

Each community board should also have its own resources – staff and/or consultants – to prepare its part of the comprehensive plan.

Should the City Council require a real comprehensive plan?

Yes.

The recent Charter Revision Commission failed to recommend that the City Charter be amended to create and maintain a living comprehensive plan. The City Council is now proposing legislation to require such a comprehensive plan. Such legislation should provide that:

- The plan should have three tiers: the city-wide parts of the plan to be led by the City administration in consultation with all interested parties, the borough-wide parts of the plan to be led by the borough presidents in coordination with the City administration and the borough's community boards, and the community centric parts of the plan be led by the applicable community board in coordination with the borough-wide and city-wide parts of the plan.
- The plan, and its parts, should be revised frequently to keep it current with evolving conditions and goals.
- Zoning and other regulations be amended to be consistent with the plan.
- Agency actions be consistent with the plan.
- Actions that are consistent with the plan qualify for expedited approval including abbreviated ULURP and CEQR.

The City should also seek binding agreements with New York State, New Jersey, and the Port Authority that their initiatives will be coordinated with the comprehensive plan.

#####

My name is Clara Greider, a constituent of zipcode 10002, and I am writing to testify against Intro 2186. While New York City may need a comprehensive zoning plan, Intro 2186 is not the right plan. As a lifelong resident of the Lower East Side, I have seen the harms of upzoning, especially when community boards are shut out from decision-making. Intro 2186 would promote overdevelopment, thus threatening local businesses and harming residential communities like my own. It would also remove input from community boards and local elected leaders. This is anti-democratic and backwards. Residents **must** have a say in how their neighborhoods are transformed.

In addition, the city should not try to reduce displacement by setting housing quotas in predetermined areas. Adding dense high-rises to residential neighborhoods only reduces access to air and light, and it eliminates the sense of community that residents desire. It also leads to further gentrification and increased costs of living by combining low-income housing with an even greater increase in luxury condominium development. Instead, the city needs **specific** anti-displacement laws that preserve human-scale, low-income housing while protecting communities from expensive high-rises, mega-developments, and hotels.

I urge city council to implement a plan that grants self-determination to all NYC residents, protects local businesses, and promotes livability at a human scale. We deserve input in the decisions that impact our homes, our communities, and our lives.

Thank you,

Clara Greider

112 Suffolk St. Apt 1C
New York, NY 10002
917-589-3873



Cooper Square Committee

61 E. 4th Street, New York, N.Y. 10003
tel: (212) 228-8210; fax: (646) 602-2260
email: csc@coopersquare.org
website: www.coopersquare.org

I'm Joyce Ravitz, Chairperson of the Cooper Square Committee. Cooper Square Committee believes that New York City must have a comprehensive plan to ensure a more equal distribution of investment and development citywide and to be sure we reduce disparities and disinvestment in communities of color. While this legislation has many good parts it must ensure that there is more community participation and transparency so that communities now disadvantaged will have better planning outcomes in the land use.

Our current plan has many shortcomings; a good comprehensive planning bill will need to create a New York City vision to advance racial and socioeconomic equity. In the past up zoning forced on many low income communities resulted in pressures that displaced these residents by higher income residents. Our city must begin to address decades of disinvestment by the city's budgeting process.

A good comprehensive plan will ensure the following:

- * Enshrine in the planning process specific equity principles.
- * Prioritize to address existing needs (regardless of any proposed rezoning) urgent capital budget investments.
- * Direct new growth and development to “high opportunity” neighborhoods & away from high displacement risk areas.
- * Establish a guiding planning process with new and strong analyses of risk, needs and opportunities across all NYC communities.
- * Create more opportunities for proactive community involvement earlier in the process.
- * Require longer term planning and cross agency coordinating in our city government.

NYC needs a comprehensive plan that would add more truly affordable housing and housing for the homeless across our entire city. We hope that this plan will build affordable housing in communities that now reject this housing. The plan could prioritize areas with low displacement risk such as communities with a high home ownership rate.

NYC needs a plan that would insure in neighborhoods with a high displacement risk that affordable housing be more important than unregulated housing development. This could be achieved by pushing strategies like increased subsidy and using public land. Comprehensive planning could set targets and identify ways to encourage all communities to meet our city’s needs for truly affordable housing all over the city.

Cooper Square Committee believes that this legislation needs to be sure that comprehensive planning will prevent displacement and build more

truly affordable housing. To do this we suggest the following be included:

- *Stated goals include more affordable housing in areas lacking affordable housing.
- *Analysis and set goals for specific housing types (ie affordability levels, etc) to be prioritized addressing community and city wide needs that include supportive housing and homeless data.
- *Supportive housing and truly affordable housing included in plan's framework in community targets and budgets.
- *Equity in budgeting by insuring transparency in budget decisions.

NYC's Comprehensive Planning legislation should include Climate Resiliency Planning that will include equal access to public engagement and strong community planning. We suggest that this is done by:

- *Providing resources but not limited to communities that are below the City's AMI. This would include neighborhoods with residents traditionally underrepresented in the planning process. They might not have professional planners to assist them in this process.
- *Insist strong outreach in each area to get overall participation of the population. and still be sure that each neighborhood generates scenarios from the bottom up that agree with the City Wide Goals Statement.
- *Require all involved throughout the entire comprehensive planning process be supported and trained in the best practices to insure a meaningful community engagement.
- *Require all bodies reflect the population diversity at all neighborhood levels making sure there are representation from marginalized populations such as NYCHA residents and homeless New Yorkers.

*Mandate periodic audits or evaluations of this process and the results by an office or agency that is outside of the Mayor's control.

-

Testimony re: Int. 2186 February 22, 2021

As the founder of a community organization which deals with the quality of life of our neighborhoods and the abuse of the zoning law by real estate developers, I see enormous problems with both city planning and Intro 2186. I don't believe this bill addresses these problems. In fact, the appointment of a "czar" by the Mayor to hold court over zoning decisions so deeply affecting the tax-paying citizens of this city could not be more problematic. To add insult to injury the public would be effectively removed from or constrained in the planning process in a manner which is highly undemocratic. It would do nothing to rein in developers who motivated only by profit often ruin the neighborhoods they build in with unlivable density, loss of light and air, the privatizing of public assets, pricing out essential mom and pop stores, the assault on landmarked properties and districts, and displacement of the people living and working in these communities.

Part of the existing problem is caused by commissioners and planners who are unelected leaders with enormous power appointed by the Mayor. There are too many political pressures they face. There are often too many working on behalf of the real estate industry-and too many who use their government roles as stepping stones to future positions with hefty salaries at a lobbying or real estate firm, or even REBNY. A revolving door where the agencies who are supposed to be working on behalf of the citizenry are too conflicted and too beholden to do so. Why would anyone consider centralizing power even more so by the appointment of one unelected Robert Moses like figure to hold sway over so important a matter as zoning?

In this bill I see not the least little acknowledgement that there are many parts of the city that are already highly overbuilt. They should not be considered for more development. If you are

really concerned with the ecosystem of the city, sometimes enough is just that. The Upper West Side is one of those communities where every developer seems to want to build and have done so for the past 10 years. The UWS has been over densified not because of the building of low income housing, but because of the gold rush fever of overdevelopment of luxury rentals and condos which is wreaking havoc on our residential neighborhoods.

Without acknowledgement of these facts, the City Council is in no way ready to make such an enormous change. There must be more, not less inclusion of Community Boards whose decisions should be more than “advisory”. Without a codified inclusion of public hearings and input of the tax-paying communities this bill should be opposed.

There are presently 35,000 apartments sitting empty in New York City. Surely this must raise the question as to whether the city needs to keep building luxury condos feigning some feel good effort toward building a minute amount of affordable housing. Any proposed legislation cannot address city planning without addressing the excesses of a city that does not wish to create a level playing field. Intro 2186 unfortunately would seem to prove that and must be opposed.

Thank you.

Sincerely,

Susan Simon

CPW Neighbors Association 370 Central Park West, New York, NY. 10025

Creedmoor Civic Association, Inc.

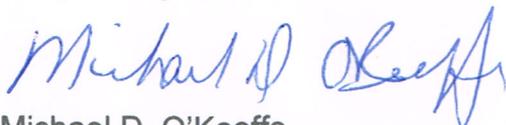
PO Box 260143 Bellerose, NY 11426 718 464-3369

The Creedmoor Civic Association opposes Intro 2186-2120 for several reasons:

- Input from the community will be seriously restricted, not enhanced, if this measure becomes law. The bill gives one appointed person vast authority over issues that currently receive input from community boards, civic associations and private citizens.
- Our neighborhood of Bellerose, Queens has become progressively more crowded over the last 10 years. Parking is becoming more difficult by the day, and city services are increasingly strained. The mandatory upzonings every decade that the bill requires will only make matters worse.
- Bellerose and surrounding communities underwent a comprehensive rezoning several years ago under the Office of City Planning. It was a fair, data-based, transparent process, as it is supposed to be.
- Intro 2186-2020 is being rushed through by a term-limited Speaker and many term-limited colleagues. It is not being examined carefully, even though it would have far-reaching consequences. Indeed, it seems to be exceedingly complex by design, to confuse and obfuscate.
- Many of the people pushing this through will not be around to figure out how to make it work. That will be left to a new mayoral administration and council that did not vote this in.

For these reasons, the Board of Governors of the Creedmoor Civic Association is opposed to Intro 2186-2120.

Respectfully submitted,



Michael D. O'Keeffe
President

cc: Council Member Barry Grodenchik
QCB 13 Chair Bryan J. Block
Queens Civic Congress

CRNP

CITIZENS FOR RESPONSIBLE
NEIGHBORHOOD PLANNING OF
CLINTON HILL / FORT GREENE, INC.

February 20, 2021

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Advisory Board

Reverend Anthony Trufant
Reverend Clinton Miller

To The NYC Council's Committee on Government Operations and all Members of the New York City Council:

RE: In Opposition to Intro 2186

Citizens for Responsible Planning of Clinton Hill and Fort Greene ("CRNP") opposes Corey Johnson's proposed **Intro 2186**, which would implement a Comprehensive Master Development Plan (the "Master Plan") for the City of New York, empowering Mayoral appointees (i.e. a "Director") to make top-down 'quota' decisions on land use in neighborhoods citywide absent any meaningful participation or input by either local residents or Community Boards. This legislation would prioritize "Population growth" in locations selected by real estate-developer-connected politicians, and empower the Mayoral appointees to make decisions ostensibly based on gauges they themselves would develop, evaluating "growth" and "displacement factors," while ignoring infrastructure stress created by these incontestable decisions. By law, this legislation would direct growth (that is, additional population) to already-crowded areas such as Manhattan and Downtown Brooklyn, apparently without requiring additional schools, transportation, or other infrastructure.

The process by which this legislation would be implemented vests all power in the Mayor, a few Mayoral appointees, and the Department of City Planning, which would certify a development in the ULURP process if it "aligns" with the Master Plan. Any development thus certified would be guaranteed approval, with no environmental review required – which would be eagerly embraced by developers in areas such as Gowanus, who would no longer need to be concerned about carcinogenic waste, or the consequences for future tenants of their decisions to build on contaminated sites. Those concerns would be passed along to the future tenants, who would suffer the health impacts after the fact, without consequences for the developer, the Department of City Planning, or the politicians directing such initiatives. How can any responsible representative endorse such peril for their constituents?

And to quote the Pratt Center for Community Development's critique of the "technical manual" related to the evaluation of potential harm to residents already living in an area that would be caused by displacement of the Mayoral initiatives, "the technical manual dismisses the potential for inequitable impacts by race and ethnicity by not making a review of the impacts on race/ethnicity a requirement...only low income tenants living in one to four unit buildings are

considered vulnerable to displacement because the technical manual does not consider rent-regulated units as vulnerable....if rents are increasing in an area and presumably displacement is occurring, Environmental Impact Statement authors are to conclude it is not possible that a proposed action could make the situation any worse." This approach appears to be declaring open season on vulnerable tenants already at risk of displacement, pushing them over the edge by providing a gift to the developers intent on displacing them.

CRNP therefore urges the defeat of this (literally) toxic and ill-conceived proposal. All elected representatives considering this measure must vote NO on Intro 2186.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosaria Sinisi", written in a cursive style.

Rosaria Sinisi

President, Citizens for Responsible Neighborhood Planning of Clinton Hill and Fort Greene

cc: NY City Council Majority Leader Laurie Cumbo (35th District)
NY City Council Member Fernando Cabrera, Chair, Governmental Operations Committee
(14th District)
NY City Council Member Stephen T. Levin, Member, Governmental Operations
Committee (33rd District)
NY City Council Member Rafael Salamanca, Jr., Chair, Land Use Committee (17th District)
NY City Council Member Antonio Reynoso, Member, Land Use Committee (34th District)
NYS Senator Jabari Brisport (District 25)

AGAINST – Planning Together – A New Comprehensive Planning Framework for New York City

Why is it that our elected officials do whatever it takes to SELL OUT to real estate interests every chance they get? Thank goodness for term limits. This attempt at “planning” is a tops-down approach that diminishes local community input. Our communities LOSE and the real estate interests benefit, along with the coffers of our spineless elected officials.

Why this focus on DEVELOPMENT, DEVELOPMENT, DEVELOPMENT? It is never enough. Trying to threaten all neighborhoods across all five boroughs will lead us back to the 1970s as people flee the city left and right. I imagine some of our electeds are not old enough to remember the dire conditions we lived under at that time.

And the racialization of the proposal’s approach is disgusting. People of color do not want out-of-scale, crappy development in their neighborhoods; development that helps destroy their quality of life – or do you think they do not care about this? Hmm....

This proposal is not planning. It is an attempt to ram-through, without any public discussion, a comprehensive approach to destroying whatever quality of life we have left in New York City. Please vote AGAINST this proposal that has so much “loose language” that you can ram a skyscraper through. Which is sure what is the intent. I would not be surprised if REBNY and their compatriots assisted in writing this thing in the first place. Or should we say “advised?”

Corey can get a nice new job lobbying for REBNY after his term finally ends. Nothing surprises your constituents any more.

PLEASE VOTE AGAINST THIS IDIOTIC PROPOSAL.

Daniel Karatzas

COMMENTS ON INTRO. 2186

Good afternoon. My name is David Karnovsky.

I am a partner in the Real Estate Department at the firm of Fried Frank Harris Shriver & Jacobson, practicing in the areas of land use and zoning. Prior to joining the firm, I served for fifteen years as General Counsel to the Department of City Planning. I am providing these comments today as a private citizen concerned with land use planning in New York City.

New York City has long wrestled with the need to plan on a City-wide basis in order to advance City-wide objectives, while balancing this with the importance of addressing the particular needs and character of its diverse neighborhoods. This is reflected in ULURP, which seeks to balance local, regional and City perspectives in the land use review process, as well as in the City's current planning framework, which can be described as one of incremental, on-going land use planning for neighborhoods that takes into account local conditions while being guided by City-wide strategic plans such as PlaNYC/OneNYC.

The Council's December 2020 report "Planning Together: A New Comprehensive Planning Framework for New York City" (the "Report") analyzes the shortcomings of the current framework, identifies overarching goals for a new model of comprehensive planning, and sets forth its key elements. What it does not do, however, is consider whether the complex, multi-step planning process it describes and the production of the highly detailed set of land use plans for the entire City required by Intro. 2186 are achievable within the designated timeframes, taking into account available agency resources. The history of comprehensive planning efforts in New York City shows that prior efforts have failed not just because of the lack of public input and support highlighted in the Report, but because of the sheer difficulty of creating an actionable comprehensive plan for a City as large, diverse and complex as New York City. However laudable the goals of the framework set forth in the Report and Intro. 2186 may be, those objectives will not be realized if the process for preparation of the new comprehensive plan is unrealistic and collapses of its own weight.

My own review of the Report and Intro. 2186 has highlighted two areas of particular concern. All provisions of Intro. 2186 should be similarly scrutinized.

Land Use Scenarios

Intro. 2186 provides that following the preparation of a 'Conditions of the City' report, the development of a 'Citywide Goals Statement', and the production of 'District Level Targets', OLTPS would then create a 'Draft Long Term Plan' that would include, among other things, three potential 'Land Use Scenarios' for each Community District. The Report states that:

The Land Use Scenarios would be required to depict specific proposed future land uses, including residential, commercial, mixed, industrial, institutions, open space,

transportation, and utilities, among any other land uses proposed for the district, with indications of relative height and density.

Following receipt of these Land Use Scenarios, the Community Boards, Borough Presidents and the Long-Term Planning Steering Committee would each recommend to the City Council one Preferred Land Use Scenario for each Community District. The Council would then adopt one Land Use Scenario for each Community District.

Under this process, OLTPS would effectively be required to develop 177 detailed Land Use Scenarios, three for each of the City's 59 Community Districts, all within the space of Year 3 of the Plan process. Under these conditions, it would be virtually impossible for the Land Use Scenarios to address Community District needs and opportunities in a meaningful manner. Either production of the Land Use Scenarios will be delayed, or they will be cookie cutter product that does not materially advance planning efforts.

The approach laid out in the Report and Intro. 2186 telescopes the deliberative and iterative planning process required to develop a successful neighborhood land use plan into several months only. Indeed, it is hard to see how a process that has OLTPS, a Mayoral agency, prepare and deliver Land Use Scenarios to the Community Boards, can be squared with the Council's stated goal of building the Comprehensive Plan organically with meaningful input from the local level.

A more feasible approach would be to translate the District Level Targets into Community District-level implementation strategies and policies, rather than detailed physical plans for proposed future land uses. Community District 'Land Use Scenarios' that have a strategic focus could then form the basis for subsequent development of City-sponsored rezonings and other actions that implement physical planning based on on-going, in-depth community input and dialogue.

The GEIS

Intro. 2186 provides that following the Council's adoption of a 'Preferred Land Use Scenario' for each Community District, OLTPS shall produce a 'Final Comprehensive Long-Terms Plan' (the "Final Plan") that reflects the Council's decisions, except where the Council has failed to adopt a 'Preferred Land Use Scenario' for a particular Community District, in which case OLTPS selects the 'Preferred Land Use Scenario'. The Final Plan is to be accompanied by a Generic Environmental Impact Statement ("GEIS") designed to identify and address the cumulative and long-term environmental impacts of the Plan. Intro. 2186 further provides that no further compliance with SEQRA is required for "subsequent site specific actions that are in conformance with the conditions and thresholds established for such actions in the generic environmental impact statement and its findings."

The above raises several issues:

First, the purpose of environmental review is to inform the decisionmaker regarding the potential impacts of a proposal *before* a decision is made, in order to allow it to consider whether and how to proceed, including consideration of alternatives and mitigations that address impacts. The process proposed in Intro. 2186 would have the Council make binding determinations regarding the contents of the Final Plan, via selection of 'Preferred Land Use Scenarios', before the GEIS is prepared. This reduces the GEIS to a disclosure document about decisions which have already been made, rather than an aid to decision making.

Consistent with the purposes of environmental review, any environmental analysis should be prepared *prior to* the Council's deliberations regarding the selection of Preferred Land Use Scenarios. Further, it should consider alternatives, including various combinations of potential Preferred Land Use Scenarios that would serve to reduce or eliminate potential impacts.

Second, the production of a GEIS for all of New York City is a monumental task that could not possibly be accomplished within the roughly one year allowed under Intro. 2186. While a GEIS addresses issues at a more conceptual level than a site-specific EIS, this does not in any way make it 'simple' to produce a GEIS at the scale of five boroughs. Taking traffic as just one example, the creation of a conceptual-level City wide traffic network in order to capture the effects of the Plan would likely take several years to complete.

Third, precisely because a Citywide GEIS would necessarily analyze issues at a conceptual level, it will not serve to eliminate the need for site-specific EIS's for later projects that are deemed 'consistent' with the Final Plan. Those projects would continue to need address local traffic, transportation, air quality, and other issues, at the level of detail required under SEQRA/CEQR, and any benefits of the GEIS to for-profit and non-profit developers would be illusory.

In short, the Citywide GEIS proposed under Intro. 2186 would be largely unworkable and provide little benefit for future development under the Plan. It should be noted, however, that a GEIS is not required as a matter of law because, unlike other forms of comprehensive plans (see General City Law 28-a), the comprehensive plan envisaged by Intro. 2186 does not require that zoning and other actions must be consistent with the Final Plan, but instead that actions deemed inconsistent with the Plan are subject to a heightened scrutiny. A workable alternative to the proposed GEIS is needed to make the comprehensive planning process set forth in Intro. 2186 workable.

In summary, the Report and Intro. 2186 raise significant questions concerning the practicability of the proposed framework for development of a comprehensive plan. The Council should consider these issues carefully before taking further action.

Thank you for the opportunity to provide these comments.

David Karnovsky

Testimony re: Int. 2186-2020

Int. 2186-2020 announces among its purposes “to prioritize population growth, where applicable, in areas that have high access to opportunity and low risk for displacement.” This language targets those parts of New York that are already of prime desirability for real estate developers: Manhattan south of 125th Street and Brooklyn from Downtown to Prospect Park. These are already the most densely populated sectors of the city. We have already seen the real estate industry’s approach to promising “affordable housing”: a fraction of units are so designated within a condo tower consisting mostly of luxury, high-priced units. The bill’s nod to “risk for displacement” gives away the game: new buildings will further drive up housing prices.

What are bad *consequences* of putting more and higher buildings into the densest parts of the city? More of the things that have driven down the quality of life in the last 15 years: strain on public transit; loss of light and air; loss of independent businesses; rising property taxes; demolition of historic and human-scaled buildings. Plus, continued neglect of the less dense parts of our city—the parts that deserve the amenities now found in the dense parts!

What is bad about the *process* laid out in 2186? It concentrates far too much power in non-elected officials, and most of all, in the prospective “Director.” The Director will be able to act without public accountability. Through him/her and staff, real estate developers will be able to control. Zoning protections will be removed with but “advisory” roles played by community representatives and officials.

In the last few years, New York has lost thousands of residents and businesses. More luxury buildings in the core are not what we need. Let’s focus on truly affordable housing and improvements in the LESS DENSE parts of the city, which are too much ignored. Please vote against Int. 2186. A comprehensive plan is needed, but through a better bill.

David J. Murphy, 370 Central Park West

February 8, 2021

Dear Mayor de Blasio and Members of the NY City Council:

Last month Speaker Johnson unveiled [legislation](#) to create a Master “comprehensive long-term plan” for land-use decisions in New York. To achieve transformative community planning throughout NYC the City Council should partner with those who know our neighborhoods best - the local residents - rather than minimize the people’s participation in land use decisions, as this bill would do. We, the City Wide People’s Land Use Alliance representing residents from all across NYC, urge you to vote no on this bill.

The main focus of the Master Plan is to increase real estate development in **every community board in NYC**. It creates a top-down administrative hierarchy that does nothing to increase neighborhood power or democratize land use, it merely empowers Mayoral appointees to make sweeping land use decisions in neighborhoods citywide. |

Top-Down Administrative Structure The Mayor’s Office, Borough President and City Council appoint a Long-Term Steering Committee (LTSC).

- LTSC appoints the Borough Steering Committee (BSC) for each borough.
- The Mayor appoints a “Director” for the Mayor’s Office of Long Term Planning (OLTP).

Top-Down Process Eliminates Community Participation

- After one public hearing, the Mayor’s appointed Director would create three rezoning plans for each community board district, imposing housing targets to increase density.
- There are no hearing requirements at the Community Boards who must choose one of the three plans.
- There are no hearing requirements for the Borough President who must choose one of the three plans.
- There are no hearing requirements for the LTSC, who must also choose one of the three plans.
- Their choices are then given to the City Council, and after only one hearing the Council should choose one single plan.
- If the City Council does not choose any of the plans, then the Mayor’s Director is empowered to choose a plan.
- Local Council Member deference is eliminated.
- Each Community District Plan is then incorporated into a citywide comprehensive plan, i.e. the Master Plan.

Once the Master Plan is in place:

- During the ULURP process, the Department of City Planning certifies a development plan if it “aligns” with the Master Plan.
- A development plan that “aligns” with the Master Plan is assured approval.

- For projects in “alignment” with the Master Plan, no environmental review is required.

This is a very top down dictatorial process. For comprehensive planning to be truly democratic it cannot be decided and fast-tracked by those appointed by the Mayor. Instead, the community must be included in the formation of the proposed rezoning plans. The city lacks comprehensive planning, but the process should be improved by *increasing* community participation, not by excluding the people who will be the most heavily impacted. For these reasons we respectfully ask for your commitment to **Vote NO on Intro 2186**.

Sincerely,

City Wide People’s Land Use Alliance

Broadway Residents Coalition

CG CORD/Carroll Gardens Coalition for Respectful Development

Friends and Residents of Greater Gowanus

LES Dwellers

MTOPP/The Movement to Protect the People

NoHo Neighborhood Association

Voice of Gowanus

Stop Sunnyside Yards

Human-Scale NYC

South Village Neighbors

TakeBackNYC

Artist Studio Affordability Project

Fight For NYCHA

Metro Area Governors Island Coalition (M.A.G.I.C.)

Flushing Workers Center

SoHo Alliance

Suffolk Street Block Alliance

Bowery Alliance of Neighbors

Coalition to Protect Chinatown and the Lower East Side

Village Preservation - Greenwich Village Society for Historic Preservation

Written Testimony
Submitted to the New York City Council
Committee on Governmental Operations Jointly with the Committee on Land Use and the
Subcommittee on Capital Budget
February 26, 2021
Intro 2186: Comprehensive Planning

Good morning. My name is Eve Baron and I'm the chairperson of the City planning program at Pratt Institute. I'm also the Brooklyn Borough President's appointee to the Civic Engagement Commission, but I'm testifying today as a private individual. I appreciate this opportunity to testify virtually, but I realize that in doing so I am exercising a privilege that not everyone has, including many people who might be most impacted by this legislation.

Urgent Need for Comprehensive Planning

I support the concept and practice of comprehensive planning. I worked on the Campaign for Community Based Planning, led by the Community-Based Planning Task Force, a coalition whose work between 2001 and 2009 was coordinated by the Municipal Art Society Planning Center—this was a group of cbo's, community boards, planners, environmental justice advocates, elected officials, and academics—groups and individuals who are actively involved in neighborhood planning and decision-making, often not on the same sides of specific issues, but aligned to establish community-based planning as official NYC policy. (I'm submitting the Campaign report along with written testimony.)

Intro 2186 addresses several urgent needs:

- Real leadership at all levels of government on issues of racial and social justice as well as climate action. Comprehensive planning can reduce racial segregation, overhaul outdated zoning rooted in racial inequality, incorporate assessments of fair housing into zoning¹, and can begin to upend the connection between someone's life chances and the zip code of the place they grew up.
- A missing link between planning and the budget.
- Allowing planning to guide land use actions, as opposed to having zoning actions dictate plans.
- Predictability about welcome and appropriate development.
- Assurance that local control does not simply translate into more power for communities that already have wealth and power.

Equally Urgent Need for Community-Based Planning

However, NYC needs both community-based planning and comprehensive planning. CB plans historically are the most comprehensive, most responsive to local need, most creative, and the most asset-based in their approach. Giving communities three planning scenarios from which to choose is consultative, not participatory, and does not achieve

¹ Walz, Kate and Patricia Fron, 2018. "The Color of Power: How Local Control Over the Siting of Affordable Housing Shapes America," in *DePaul Journal for Social Justice*, Vol 12, Issue 1, Article 2.

the level of citizen participation that would truly enfranchise New Yorkers and rebuild trust in government. I urge Council to reconsider the role of communities in the legislation, provide them with the resources to plan for the targets and benchmarks laid out in the planning framework, ensure that their work is inclusive and focused on justice, and ensure that their plans are funded and implemented.

Section 197-a of the Charter spells out the processes by which communities can create their own plans. While there has never been funding to do this adequately, there could be, and it would relieve DCP's anxiety about having to create nearly 200 planning scenarios. The legislation could be retooled to require findings and consistency review for land use actions using 197-a plans as a guide, which would give much-needed "teeth" to community-based planning, and to link plan recommendations to the city's budget.

The legislation does not make clear any relationship to existing 197-a plans and how they will be implemented. There are also [many community-based plans](#) that were created outside of the 197-a planning process but which could, like 197-a plans, become the building blocks of a comprehensive plan.

Citizen participation is a key missing element and it is not clear how the legislation would further, or address that. For example, how does the steering committee responsible for producing the citywide goal statement interact with the public? How does public input impact the preferred land use scenario? How are disagreements among various electeds reconciled?

Planning Goals

The legislation seems to prioritize population growth but what if we looked instead at prioritizing social mobility and opportunity? "Growth" is not neutral and has connotations of "making room for new people" whereas we should really be doing that plus reducing barriers for people to move to the neighborhoods they desire, or building opportunities for everyone to thrive in their own neighborhoods without risk of displacement. The statement does not mention improving neighborhoods that have not seen investment, only adding growth to stable neighborhoods.

Targets and benchmarks and stated methodology is a strong approach but where is the opportunity for community dialogue?

The legislation as proposed mentions only resiliency infrastructure, but not climate change adaptation or energy production; it specifically calls out the waterfront but it's not clear why, and in what ways.

Much power is invested in one person—the director of the office of long-term planning. Unclear what office is doing the planning? What is DCP's role?

Local Law 17

There is a much-needed link in the legislation among resilience and sustainability and equity via an equitable distribution of resources and development. Yet to strengthen the proposal's core values, there needs to be a strategy to identify where existing inequalities lie and address them before simply handing out the same sized piece of pie to everyone.

Steering Committee

These two objectives within the legislation may be incompatible in part: The committee shall include individuals who are members of groups historically underrepresented in planning and land use decision-making processes. Each appointed member shall have expertise in one or more of the following areas: planning, transportation, sustainability, resilience, housing, public utilities, social services, and economic development. Urbanism-related fields are glaring in their lack of BIPOC representation. (While Whites make up 45 percent of the population in the New York Metro Area, they make up 71 percent of urban and regional planners in the area).² It may be more relevant for the steering committee be made up of people negatively affected by past policies, whose lived experience makes them experts, i.e., formerly homeless, unemployed, formerly incarcerated, immigrants, essential workers, and have those with more academic expertise in the role of staff.

There should be more clarity on the relationship between borough steering committees and community boards because their jurisdiction seems to overlap. Who appoints them, on what criteria?

Conditions of the City Report

Will the report include conditions in NYCHA, which houses 1 in 8 New Yorkers? While the opportunity index is a good addition to the planning process, it should be pegged to the planning framework and the city's Fair Share report, in order to begin to ensure that places with little opportunity receive more infrastructure and services.

I also attach the report of the Community-Based Planning Task Force: *Planning for all New Yorkers: A 21st Century Upgrade for New York's Planning Process* for your consideration. While this report was drafted nearly a decade ago, the problems are still the same, and the solutions drafted herein were the result of many years of consensus building. There is also companion legislation available upon request.

"If the planning process is to encourage democratic urban government then it must operate so as to include rather than exclude citizens from participating in the process." Paul Davidoff, leading proponent of advocacy planning

² Tiarachristie, G. 2016. ELEPHANT IN THE PLANNING ROOM: OVERCOMING BARRIERS TO RECRUITMENT AND RETENTION OF PLANNERS OF COLOR. Pratt Masters thesis.

Planning for All New Yorkers: A 21st Century Upgrade for New York's Planning Process

*Recommendations of the Community-Based Planning Task Force
Prepared by the Municipal Art Society Planning Center*



January, 2010

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I. Overview and Executive Summary



Source: Municipal Art Society Planning Center, 2008

In Brooklyn, a major redevelopment project languishes as opposition mounts and the housing market collapses. The opportunity to bring much-needed housing, jobs, open space, and streetscape to a long-neglected rail yard and urban renewal site in a neighborhood already undergoing its own renaissance needed little more than a push from government and a planning process that acknowledged the diverse stakeholders and allowed

for local voices to be involved from the beginning in the planning. But the plan was developed without an inclusive process or a role for broad community participation and approved without the vote of any local representative. Absent widespread local support, the project has stalled, leaving vacant lots and demolished buildings in its wake. This is not good planning.

In Manhattan, community residents in West Harlem spent years creating a vision for redevelopment that took into account local need, community character, local business opportunities, and a desire to rejuvenate without social displacement or new environmental burdens. Yet a



Source: Municipal Art Society Planning Center, 2008

competing vision brought forth by a local development interest ultimately prevailed, resulting in the loss of manufacturing, displacement of local residents, and, eventually, the expansion of a college campus into a once-cohesive neighborhood. This is not good planning.

In the Bronx, the Kingsbridge Armory—one of the nation’s largest armories—has been vacant for more than a decade. A private developer’s plan to re-use the sprawling complex—a publicly-owned asset—primarily as a regional big-box shopping hub, has met resistance from groups that have been advocating for years to balance the use of the

armory with the local need for schools, and living wage jobs. The fight over redevelopment has resulted in community conflicts and the City Council's rejection of the project.

This is not good planning.

We need to reform the way the government plans our communities.

This means strengthening both top-down and bottom-up planning. At this point, the weakest part is bottom-up planning. Time and again, communities feel left out of the process entirely, or feel that their participation ended up making little difference in the long run. Both the city and communities become consumed by rezonings—many of them contentious—that do not emanate from real planning and do not address the multiplicity of local or citywide needs and problems. Communities get frustrated. Development gets delayed. Land use decisions wind up being made in the courts. Faith in government erodes.

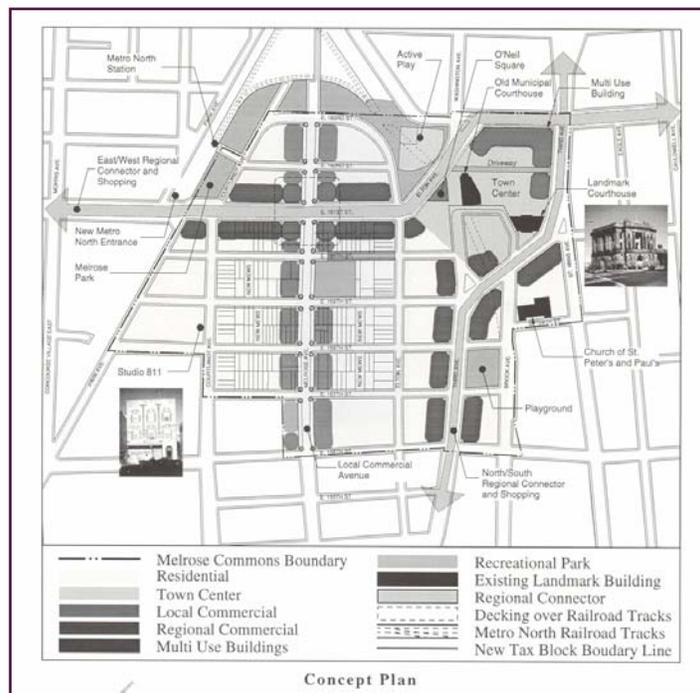
It doesn't have to be this way.

Current and historic examples of planning partnerships between government and community in New York City demonstrate that good planning can balance local and citywide need—through a planning process that includes and respects community voice. In the Bronx, in Melrose, for example, a community-initiated urban renewal plan has resulted in the construction of more than 1000 residential units that are affordable to current residents and over 50,000 square feet of commercial space that provides opportunity for local business in attractive, sustainable, mixed-use buildings. The Organization of Waterfront Neighborhoods, a group of communities overburdened by the siting of noxious uses and made ill by vehicle exhaust, banded together and convinced the city of a better way to manage solid waste removal and to phase out inland, truck-based waste facilities.

Planning works for everyone when the whole community is involved. Good planning flows from a good process.

There are, in fact, more than 80 community-initiated plans throughout the city that could easily become the basis for achievable neighborhood development—if only there was a commitment from government to plan implementation.

(To view these plans, visit <http://mas.org/planningcenter/atlas/>.)



Source: Nos Quedamos/We Stay, 1994

The city has a unique opportunity to adopt a new approach to planning that recognizes and values the ideas and contributions of ALL communities and ALL New Yorkers. Working together, we can create the city we all want. Other cities have taken the lead by giving communities the resources to plan, by linking community plans to city and regional plans, and by committing to the implementation of community plans—New York needs to rise to the challenge.

This report spells out what we must do to bring our city’s planning process into the 21st century. It is based on the legislative



Source: Municipal Art Society Planning Center, 2008

recommendations of the Community-Based Planning Task Force, a coalition whose work since 2001 has been coordinated and administered by the Municipal Art Society Planning Center. The Task Force is made up of community-based organizations, community boards, professional planners, environmental justice advocates, elected officials, and academics—groups and individuals who are actively involved in neighborhood planning and decision-making. The Task Force is working to secure a more meaningful role for New Yorkers in the city’s land use process, and to establish community-based planning as official NYC policy. *(See Appendix for a full list of Task Force members.)*

Here are the key challenges we address:

“A question of balance”

New York City’s growth and development must be balanced with neighborhood need. Too often, people who live and work here are at odds with developers who take a “whatever the market will bear” approach to development, often with the blessings of mayoral administrations that are focused on growth and dependent on real estate revenue.

“It’s time to catch up with other cities.”

Cities across the nation and the world as different from each other as Seattle, Washington and Porto Allegro, Brazil have embraced community-based planning as the way to do business. Developers, planners, designers, communities, and municipal agencies in these cities agree that although the process is never easy, a true commitment to a planning process that begins with local visions results in faster, less costly, more empowering, and more innovative planning and development.

“On paper, New York has strong support for community-based planning.”

The concept of community-based planning was at the heart of why New York City's community boards were created in the 1960s. But, four decades later, community boards and community-based organizations have few real opportunities to engage in proactive planning and even fewer opportunities to ensure that development suits neighborhood needs.

“We don’t have to reinvent the wheel.”

New York’s community boards are a place to begin rectifying the problems. Community boards have a City Charter-mandated responsibility to prepare plans for the growth, development and improvement of their districts—there is even a section of the Charter that spells out how neighborhoods can do planning—Section 197-a.

“Give communities the tools and resources to do their job.”

Community boards and community-based organizations often simply do not have the time, resources, or expertise to undertake the planning process, which can take years and hundreds of thousands of dollars. When sufficient resources are in place, however, community-led transformations follow.

“We have a golden opportunity to change the way decisions are made in our neighborhoods.”

Planning for All New Yorkers is a set of new legal recommendations that can change the way New York City does business and ensure that everyone has a seat at the decision-making table.

“The premise is that the people who live in a neighborhood or care personally about its destiny are in the best position to identify a neighborhood’s needs and plan for its future.”

*Charles Graves III
Director, Baltimore City
Planning Department*



Here are the key steps needed to reform our planning process:

Create a citywide planning framework, which spells out growth targets and benchmarks while balancing citywide and local need.

New York City currently lacks a comprehensive planning framework. Therefore, community plans may conflict with one another, and fair and equitable distribution of development, preservation, and noxious uses is not guaranteed. We lack ways to evaluate how large-scale development proposals, those conceived by both the private market and city agencies, compare to publicly-adopted planning and development goals.

We need a citywide planning framework based on:

- City goals;
- Council-approved city policies; and
- Approved community plans.

Provide communities with planning expertise.

Community boards generally consist of 50 unsalaried volunteers, a district manager, and sometimes a small support staff. While boards do a lot to cope with under funding and an unfunded mandate to plan, there is currently no guarantee that boards have the technical expertise and/or the resources necessary to undertake comprehensive neighborhood planning.

- Community boards need planning expertise on staff; and
- The Department of City Planning needs to be organized to facilitate provision of maps, data, and timely information to community boards.

Ensure that community plans reflect diverse community interests.

Before community boards are given more power to plan, there needs to be a commitment to the notion that the plans they create represent the interests of the diverse population of each district. Diverse representation on community boards can be ensured through:

- Active recruitment of new members to reflect the make-up of the district;
- An independent advisory panel for each borough to screen applicants according to transparent criteria; and
- An opportunity for boards to add extra members if warranted.

Ensure that there is real commitment to plan implementation.

Without support and implementation for community-based planning, the process is perceived as ineffective and inefficient. Community-based planning needs a more influential role in New York City's land use decision-making process. This can be achieved by:

- Requiring monitoring of all land use actions for compliance with adopted community plans;
- Using the city's official land use review process to hold government and developers accountable to adopted community plans;
- Requiring the Department of City Planning to act on land use recommendations contained in adopted community plans.

The preceding recommendations come from the input from dozens of groups and individuals who have been involved over the course of many years in one way or another with planning and decision-making at the grassroots level. Therefore, they reflect the experience of those who have been through the community planning process. They also reflect the dialogue that community groups, neighborhood advocates, and community boards have established—using the Campaign for Community-Based Planning as a forum—with academics, professional planners, good government groups, legal experts, elected officials, and even developers—who believe that reform of the planning process begins with a partnership between government and communities. The following report lays out in detail the arguments and the reasoning behind these recommendations.



Source: Municipal Art Society Planning Center, 2008



II. The Problem with the Process

a. How Community-Based Planning in New York City Currently Works

Livable neighborhoods make a city livable. Throughout the world there is increasing recognition of the importance of community-based planning in creating sustainable, healthy communities and cities that work—socially, culturally, and economically.

Successful community-based planning is based on the visions and active participation of the people who live and work in a community. Effective community-based planning can uncover the special characteristics of a place; help the members of a community forge a sense of common purpose; identify opportunities for meaningful and realistic public and private investments; provide an important tool for accountability; and renew the belief of

the public and government in the value of civic participation.

“Community-based plans represent and celebrate New York’s diversity. Yet, when put together they also present a compelling picture of common ideas, hopes, and dreams.”

*Eva Hanhardt
Director, Urban Environmental
Systems Management Program,
Pratt Graduate Center for the
Planning and the Environment*

New York City has experience with community-based planning, both informally through small-scale, local, consensus-based efforts and formally, through community board-sponsored 197-a plans. Now, in 2009, New York has had 20 years’ worth of experience with 197-a planning, following the pioneering revisions to the New York City Charter in 1989 that eased restrictions on community boards developing Section 197-a plans for the “development, growth, and improvement” of their neighborhoods. While there has been a significant proliferation in the number of all types of community-created plans (growing from under 40 in 2001 to more than 80 in 2009), 197-a plans remain the only community-based plans officially recognized by city

government. Their potential to open the decision-making process to the public is enormous, as is their potential to implement consensus-based community development goals and hold government accountable to publicly adopted policy.

But the potential of 197-a planning has also been severely undercut. The 1989 Charter revisions raised expectations that planning could result in substantive change at the neighborhood level, after many years of neglect of all but the most prosperous Manhattan neighborhoods. The positive transformations in Bronx Community District 3 (Morissania) and Manhattan Community District 4 (Hell’s Kitchen) that are directly linked to those communities’ 197-a plans affirm the potential of the process. However,

more recently-adopted 197-a plans, such as Manhattan Community District 9’s plan and Brooklyn Community Board 1’s two 197-a plans, have been no match for competing visions from private developers and have yet to result in the implementation of community development goals.

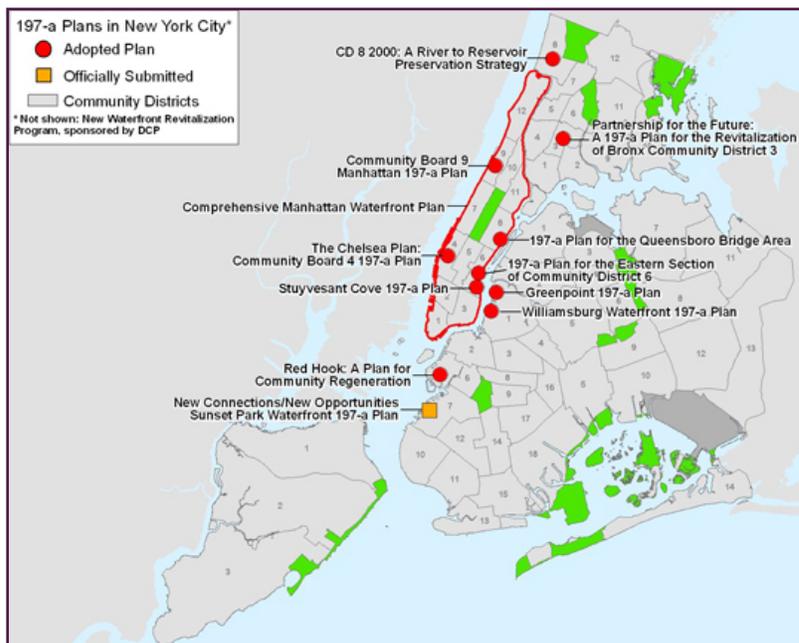
There are also positive impacts that the 197-a planning *process* engenders: the consensus-building required to adopt a 197-a plan can help galvanize communities with often very disparate constituencies; for instance, the 197-a planning process in Red Hook led to more inclusive community representation on Brooklyn Community Board 6 and positive community activism on a range of issues.

But there are significant problems surrounding the 197-a plan creation, review, and implementation process. Inclusivity in neighborhood planning is hampered by a general lack of awareness of community boards and community-based planning, as well as the lack of procedures or accountability standards to achieve appropriate representation on community boards. Effective community planning is made more difficult by the fact that there is no commitment of funds to communities for planning expertise, nor is there more than a few hours worth of training for community board members to prepare them for a proactive role in planning. Once plans are

“...it is really in the chorus of all those stakeholders at the table that the best vision, the best ideas, the best plans become materialized.”

Elizabeth Yeampierre
Executive Director, UPROSE,
winner of the 2007 Yolanda
Garcia Community Planner
Award

completed and have gone through the rigorous and extensive public review process and are adopted as city policy, there is no guarantee that plan recommendations will be implemented or will even have a measurable impact on local budget, service delivery, and development priorities. (See Appendix for a chart of the 197-a adoption process.)



Source: NYC Department of City Planning website, last accessed 12/2009

Before we give up on 197-a planning



altogether, we need to examine how the process can be used to it fullest. While 197-a plans have significant potential to provide standards for municipal accountability, whether on the part of city agencies or elected officials, that potential is not being used because 197-a plans are not directly and automatically linked to budgetary, service, and land use decisions.

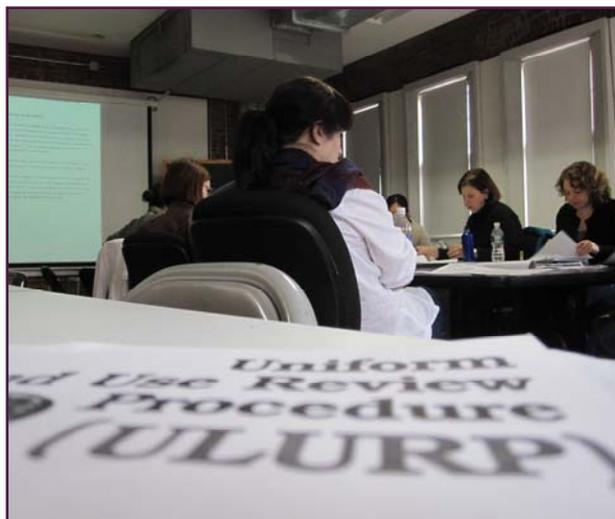
b. Task Force Findings on Community-Based Planning in New York City

In 2004, the Municipal Art Society and the Task Force hosted *Community-Based Planning in New York City: Summit 2004*. Over 100 planners, advocates, city agency employees, and academics took part in discussions on how to move toward formalizing community-based planning as citywide policy. The conclusions, fully documented in the 2005 report *Livable Neighborhoods for a Livable City: Policy Recommendations to Strengthen Community-Based Planning in New York City*, are as relevant now as they were then. An examination of the city’s current planning process and its flaws are summarized below.

Most New Yorkers don’t know about opportunities to participate in local decisions.

As presently configured, community boards are the grassroots level of government and the gateway for the officially recognized community-based planning process through their role in the Uniform Land Use Review Procedure and the 197-a process. As part of the city’s planning infrastructure, community boards bear much responsibility for their districts’ interests. Effective consensus-driven planning depends on the boards’ representing of the district and their ability to partner effectively with local community-based organizations.

Yet the percentage of New Yorkers who do not know that community boards exist is probably greater than the percentage of those who do. Some people avoid community boards until such time as the board takes a stance that is perceived as contrary to neighborhood interests. Others may feel that the board will not embrace their interests or that boards wield no true power in the political process. As a consequence, participation in



Source: Municipal Art Society Planning Center, 2009

development decisions and official planning efforts is rarely what it could be. Few people know that committee and board meetings are open to the public or that non-board members can serve on board committees. There is also the perception that community boards are not open to new immigrants and that membership requires close political connections. The means by which people discover community boards are few. There is no citywide systematized, ongoing outreach campaign sponsored by the city. Public schools rarely make civic engagement or awareness of the local political process part of the curriculum. There are no citywide public service announcements encouraging application for membership.



Source: Municipal Art Society Planning Center, 2009

New York has not ensured that everyone has equal opportunity to participate in local decisions.

Despite the amazing diversity of New York’s population (an estimated 170 different languages are spoken here), there are no citywide procedures or accountability

standards to ensure full neighborhood representation on community boards. Demographic and other types of information about board members are not gathered in any systematized fashion that would allow for analysis of which groups are represented and which are not. Each borough president is charged with ensuring that community board composition adequately represents different areas and groups in each community district, yet there are no standardized procedures for doing so.

“If the planning process is to encourage democratic urban government then it must operate so as to include rather than exclude citizens from participating in the process.”

*Paul Davidoff
Advocacy and Pluralism in
Planning, AIP Journal,
November 1965*

Accurate and up-to-date information on neighborhood demographics is critical for evaluating effective representation, targeting outreach and determining a balanced board membership. Each community district may contain several smaller “communities” or “neighborhoods,” each with unique needs,



skills, resources and demographics. Even though over one-third of New York City’s population is foreign-born, we have not yet crafted the means to engage the newest New Yorkers in planning decisions. There is no systematized outreach to youth—in fact, budget cuts under the last administration eliminated the youth coordinators who had served this function. Each of the five boroughs of New York City has a different application form for new potential community board members and no city agency is responsible for making sure that the pool of applicants is sufficiently diverse.

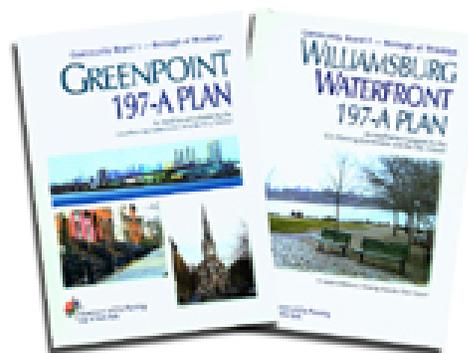
Open and transparent governance and planning efforts can bring disparate neighborhood groups together to hash out differences and to understand common interests and goals. Consensus-oriented planning is a way to increase public knowledge and awareness and to foster an understanding of democratic processes.

Community boards and community-based organizations need more training and technical resources to take on a proactive planning role.

The average community district has a population of over 135,000, which makes it comparable in size to Elizabeth, New Jersey and Albany, New York. All Charter responsibilities of the board (land use and zoning matters, the City budget, municipal service delivery, and other matters relating to their communities' welfare) are carried out by a very small staff typically consisting of the district manager and one or two administrative assistants. Any extra personnel, such as planning expertise, must be paid from funds raised beyond the board’s approximately \$200,000 budget (\$206,895 for fiscal year 2010)—which also pays for all salaries, office supplies and equipment, service contracts, printing, and mailing. In comparison, the City of Albany's Division of Planning has an annual budget of \$369,996 and employs six full-time staff.

In addition to their land use and service delivery roles, Charter changes made in 1989 gave boards the explicit right to develop 197-a plans and the right to obtain professional planning expertise.

Community board members themselves contribute a variety of skills to planning efforts, but these skills vary from board to board. While the Charter authorizes community boards to hire planners, the city has never appropriated funds for community planners and no community board currently employs a full-time planner.



Source: NYC Department of City Planning, 2002

As it now stands, standard training for community board members is just a few hours for their entire tenure. The Mayor’s Community Assistance Unit, in partnership with borough presidents’ offices, provides handbooks and minimal training for board members when they are first appointed. As a result, board members are sometimes

unclear about their duties and responsibilities and over-rely on district office staff. There is no refresher training, and there is, to date, no training in technology or communications. Community boards can request training on an ad hoc basis from the Department of City Planning, the Independent Budget Office, or borough presidents' offices, which in many cases do their best to provide some level of support, but this training is not standardized, required, nor considered to be an explicit obligation. (A noteworthy exception is current Manhattan Borough President Stringer, whose office provides several hours of additional training to board members on budget, land use, conflict of interest, and service delivery issues. Also notable is the borough's Urban Fellows Program, which places graduate planning students in paid internships at community boards.) Non-profit organizations, graduate urban planning programs, and for-profit planning firms occasionally provide pro bono assistance, support or training (such as the Municipal Art Society's Livable Neighborhoods Program and CITI Youth Program), yet this help is never guaranteed and is again, dependent on private funding.

The lack of training of both community board members and district office staff is a major obstacle to participation. Staff are consequently constrained in their effectiveness and the perception of the board's ability, both by insiders and outsiders, is diminished. The pace at which the board can process budget, planning, and development decisions is slowed. There is little guidance available on managing a community board office, nor are there standard benchmarks for board performance.

Inadequate resources for plan creation and inadequate implementation mechanisms undermine 197-a effectiveness.

There are 59 community boards in New York City. Despite the 1989 Charter provisions for 197-a planning, only thirteen plans sponsored by community boards have been officially submitted to the city. Of these, only ten have been adopted by the City Council (one is pending review; two others were withdrawn or disapproved). *(See the Appendix for a full list of 197-a plans.)* The obstacles to 197-a planning are many: training, funding, investment of time, lengthy city approval process, uncertain outcome, etc. Those engaged in 197-a planning often have high expectations for outcomes that are rarely met, while other people avoid getting involved because they feel the plan will have no impact or because they feel they do not have sufficient time or skills.

Plan preparation requires maps, data, planning expertise, outreach, and, in some cases, community organizing. Currently there is no systematic way or centralized clearinghouse from which communities can identify and obtain such resources. 197-a plans can cost between \$50,000 and \$250,000 just to create, depending on the size of the area and the scope of the plan. Yet there is no collective pool or even reliable source of funding for community-based planning. Sometimes partial funding can be obtained from the local city council member or the borough president; other times from private foundations or grants, all of which require time and a bit of political skill or savvy to obtain. Community boards have the additional burden of having to arrange for a fiscal conduit to receive direct funding from non-city sources.



(Not all planning goals require the creation of a full 197-a plan. Smaller community-based plans, focused on a specific issue or a smaller geographic area, can result in more immediate action, and also could form the basis of future plans and guide future decisions by the board. Less time-consuming and less costly, these smaller plans can convey a community's ideas more quickly. While not a substitute for a community plan, the Department of City Planning frequently undertakes rezoning studies and sponsors 197-c (rezoning) applications in collaboration with affected community organizations.)

III. Nationwide Trends in Community-Based Planning

While New York has struggled to make 197-a planning effective, other cities in the United States have surged forward in their efforts to engage people in developing comprehensive neighborhood plans. The experience of these cities as well as a growing number of independent community-based planning initiatives around the country can provide valuable lessons for New York City.

Community-based planning has grown in prominence in the United States and abroad, providing alternatives to traditional top-down or development controlled planning and decision-making and emphasizing comprehensive, multi-sectoral approaches to complex and persistent urban problems. This has led to a proliferation of community-based planning initiatives in cities and towns across the country. State and federal agencies are also turning to a community-based planning model to carry out programs successfully at the local level. For instance, the New York State Brownfield Opportunity Area Program (BOAP), devoted to clean-up and re-use of contaminated sites often found in low-income neighborhoods, uses a three-phase approach that sets aside funds to support community visioning for re-use at the outset of the process, and subsequent funding and tax credits for development projects that are built according to the local plan. The federal Environmental Protection Agency's Community Action for a Renewed Environment (CARE) program provides grants to local groups for tools, technical support, and funding to assess local pollution risks and to set priorities for risk-reduction through a community-based plan.

Other cities, such as London, Portland, and Boston are working with residents on plans to address climate change through setting local sustainability agendas and working with the public to help measure progress toward successful implementation. These initiatives are diverse and tailored to local conditions, but what they have in common is a commitment to broad community participation, developing collaborative partnerships, and strengthening local capacities.

A number of cities, including those referenced below, have embraced community-based planning as a model for coordinating planning, funding, and service delivery, institutionalizing the practice in their local laws and ordinances. New regulations direct city planning and community development agencies in these cities to enter into partnership with communities, or provide assistance to communities, in developing and implementing comprehensive neighborhood plans.

While municipal planning processes differ from region to region and evolve from each city's unique experiences and history with public participation, there are features that emerge as common watermarks of a fully participatory planning process. There is a commitment to inclusiveness, development of collaborative partnerships, and strengthening of local capacities. Each city has a unique process but there are underlying similarities:

- a link between neighborhood plans and a comprehensive city plan;
- explicit support from and partnership with city government;



- a clearly defined planning process;
- benchmarks and predictability of outcome; and,
- commitment to implementation.

New York City in Comparison

While New York fares reasonably well in comparison to other cities with regard to a clearly defined planning process (the Uniform Land Use Review Procedure provides a framework and a schedule for making land use decisions) and with respect to support and partnership with government (the Department of City Planning has historically provided substantial support to communities upon request—at the borough offices for rezonings and at the central office through the Planning Coordination unit.), other cities have surged ahead in updating their planning processes for the 21st century.

Seattle, Minneapolis, Buffalo, Portland, Houston, and Rochester take the lead when it comes to informing communities about exactly what to expect before, during, and after the planning process and to providing assurance that once communities take on the difficult task of planning, their efforts will have meaning because there is a budget for implementation in place. Unlike any other city that has committed to community-based planning by adopting legislation to make it official policy, New York does not have an officially-adopted comprehensive citywide plan. Additionally, other cities (Seattle, Minneapolis, Buffalo, Portland, and Rochester) have seized on the opportunity of comprehensive planning as a means of building up from neighborhood-based plans and of adopting a needs-based approach to comprehensive planning.

The net result of planning process reform in these cities has been the creation of more neighborhood plans, the implementation of more consensus-based planning recommendations, more ability to leverage private funds to implement public development goals that are broadly supported, and greater transparency and accountability in decisions made about development and public services.

(See Appendix for more information on each of the cities mentioned here.)

Community-Based Planning: National Comparison

	Benchmarks and Predictability of Outcome	Commitment to Implementation	Neighborhood Plans Linked to Comprehensive Plan	Comprehensive Citywide Plan	Clearly Defined Planning Process	Support From and Partnership with Government
Seattle WA	√+	√+	√+	√+	√+	√+
Minneapolis MN	√+	√+	√+	√+	√+	√+
Buffalo NY	√+	√+	√+	√+	√+	√+
Portland OR	√+	√+	√+	√+	√+	√+
Houston TX	√+	√	Insufficient Data	√+	√+	√+
Rochester NY	√+	√	√+	√+	√+	√+
Baltimore MD	Insufficient Data	√	√+	√+	√+	√+
New York NY	x	x	x	x	√	√

Source: Municipal Art Society Planning Center, 2009

New York City is arguably far more complex in its political organization and diverse in its neighborhoods than other U.S. cities, which may make the creation of a new planning framework more of an undertaking. But it is precisely for these reasons that a decentralized, predictable, and transparent planning process is in order. A new planning framework must also be able to accommodate calls for changes to city policy—addressing critical and growing needs for affordable housing, job creation, open space, and sustainability. A city as large and as enmeshed in the global economy as New York needs to have in place secure mechanisms to balance citywide needs with neighborhood needs—a process to create agreed-upon planning and development goals can achieve that.

IV. Task Force Recommendations

Reform of the planning process requires a broad look at practices, capacity, commitment, and inclusivity. Each operating agency in New York City must be empowered to view communities as partners, not as adversaries. A faltering market means that only the most broadly-supported plans and proposals are adopted and built.



Source: Municipal Art Society Planning Center, 2004

The Task Force bases its recommendations on 1) direct experience working to incorporate community plans into the city's planning process; 2) years of discussion with neighborhood advocates, planners, city agency staff, developers, lawyers, community boards, and elected officials; and 3) an examination of cross-national models for community-based planning. While changing the culture of city agencies and empowering staff to partner with communities is always crucial to reform efforts, and while pointing to best practices may inspire improvements to the planning process in piecemeal fashion, the Task Force recommends that the City begin a dialogue on a more comprehensive approach to changing the way we plan for New York.

The Task Force envisions a series of changes to the New York City administrative code and City Charter based on four goals:

Link neighborhood plans to a comprehensive citywide planning framework.

Legislation should require a comprehensive citywide planning framework for neighborhood plans, establishing city's goals, growth targets, needs, benchmarks. Existing 197-a plans can be the building blocks for the framework, and the framework, in turn, can provide a guide for the creation of subsequent 197-a plans. Land use decisions should be required to conform to the citywide planning framework.

Empower communities with their own planning expertise and create organizational capacity within city government to manage new planning responsibilities.

Legislation should create a new office within the Department of City Planning that provides planning and organizing assistance as well as implementation oversight. Community boards should be provided with funding sufficient to hire district planners,

who are hired and tasked by community boards but who work closely with the Department of City Planning on behalf of their districts.

Commit to implementing 197-a plan recommendations.

Legislation should require that city land use decisions conform to 197-a plans and that adoption of a 197-a plan trigger immediate action by the Department of City Planning.

Ensure that 197-a plans truly reflect diverse community interests.

Legislation should require that those serving on community boards are drawn from all quarters of the district's population and go through an appointment process that is free of undue political influence.

Steps to Ensure that Planning Works for All New Yorkers

The legislative goals explained above can be further broken down into legislative measures to be taken up by the City Council and the next Charter Revision Commission, in dialogue with community boards, community-based organizations and neighborhood advocates, the professional planning and development community, and the general public.

1. Create a citywide planning framework that spells out growth targets and benchmarks.

While the creation of a citywide plan to organize all land use throughout the five boroughs is not a realistic goal, establishing a basic blueprint to explain citywide goals for growth, development, preservation, housing, infrastructure, sustainability, and fair share is easily within our grasp. But New York City currently lacks a comprehensive planning framework. Therefore, community plans may conflict with one another, and fair and equitable distribution of development, preservation, and noxious uses is not guaranteed. Without a planning framework that has been subjected to the public approval process, there is no meaningful way to ensure that the decisions made about development are transparent and rooted in public policy.



With a planning framework in place, for example, zoning can be linked more directly and clearly to planning; and economic development proposals can be more directly connected to economic development goals, with better transparency. With a planning framework in place, New York's diverse communities will have a better understanding of how to accept their fair share of burdens and benefits that must be distributed equally around the city.



A framework would allow elected officials and the public an automatic way to assess whether private, state, and federal proposals are consonant with city policy.

The framework needs to include an assessment of the existing conditions, problems and needs of the city and of each community district; projections of future conditions, problems and needs of the city and of each community district; goals and strategies to address problems and needs of the city and each community district therein; an assessment of the long-range impacts of such goals and strategies including, but not limited to, the impacts on future growth and development opportunities, the impacts on the public health, safety, and welfare of people, economic and housing opportunities, the physical environment and the distribution of city facilities; and a projection of the capital and other budgetary needs necessary to implement the proposed plan or amendments.

A citywide planning framework needs to result from a participatory process. New York’s Uniform Land Use Review Procedure offers a model and a way to organize public input and secure broad buy-in through dialogue with elected representatives at the local, borough, and citywide levels. The public approval process also allows transparency—another check to ensure that the framework reflects all required elements.

The City Planning Commission should be tasked with creating a comprehensive citywide planning framework based on:

- City goals
- Council-approved city policies
- Approved 197-a plans.



Source: NYC Mayors Office of Long-Term Planning and Sustainability, 2007

The comprehensive planning framework should:

- Assess current and future needs of the City and of each community district.
- Be created with widely-publicized public hearings in each borough.
- Require City Planning to make written consistency findings when certifying 197-c applications.
- Have required consideration in the City’s ten-year capital strategy.

2. Provide Planning Support to Community Boards

Community boards generally consist of 50 unsalaried volunteers, a District Manager, and a small support staff. There is currently no guarantee that boards have the technical expertise and/or the resources necessary to undertake comprehensive planning, despite the fact that community boards bear this responsibility under the provisions of the City Charter. While the Department of City Planning and the land use departments of borough



Source: Municipal Art Society Planning Center, 2009

presidents certainly provide assistance to communities and community boards upon request, community boards have no ability to independently direct the use of planning expertise, to, for example, evaluate a controversial development proposal in light of the community board's stated planning principles. (New York State, in devising a process for communities to respond to proposals to site power plants [Article X], has acknowledged the need for communities to have equal access to information and expertise to make informed evaluations about siting decisions, and creates a fund from private applicants for communities to pay for consultants.)

Planners who work for communities should work in those communities, ideally at the office of the community board in question. Yet support at the central office of City Planning should be built in systemically, in order that planners all have equal ability to avail themselves of technical resources, data, and services needed to perform their tasks.

Community boards should have budgets sufficient and be required to hire District Planners. An Office of Community Planning within the Department of City Planning should provide direct support to District Planners.

The District Planner should:

- Be hired, fired and tasked directly by the community board.
- Assist the board with: preparing comprehensive neighborhood plans, preparing and reviewing land use actions, preparing District Needs Statements, and reviewing land use actions for compliance with adopted plans, among other necessary planning-related work.

The Office of Community Planning should:

- Provide to each community board technical data, staff assistance and other services necessary to allow boards to develop plans for the development, growth, preservation and improvement of community districts.



- Provide technical data to help community boards assess and project existing conditions, problems and needs within the community district and develop planning goals and strategies.
- Help boards address the impacts on future growth and development opportunities, the impacts on general health, safety, and welfare of people, economic and housing opportunities, the physical environment and the distribution of city facilities.
- Determine whether goals and strategies are within the legal authority of the city to undertake and consult with relevant city and state agencies about issues that fall within the jurisdiction of city agencies, including identifying the relevant agencies and facilitating such consultation.
- Determine the capital and other budgetary impacts and needs necessary to fully implement proposed plans; assess the relationships of proposed plans to other applicable city policies; assure public participation in the formulation and development of proposed plans by facilitating opportunities for such public participation, including workshops, hearings and/or technical advisory committees; and prepare proposed plans for submission to the city planning commission for review.
- Create detailed population profiles for each community district.
- Have an 11-member advisory board, which will hold a public hearing each year on the operation and performance of the Office of Community Planning.

3. Ensure Diverse Representation on Community Boards



Source: Municipal Art Society Planning Center, 2004

Community boards, as pointed out above, struggle to perform their charter-mandated duties on a shoestring budget with a skeleton staff and an all-volunteer membership. Yet it is a reality that community boards are the frequent target of criticism. Accusations that boards are sometimes parochial and reflect only a narrow range of interests are common; as are accusations that board appointments

are handed out as political favors. Conflict of interest complaints also frequently mar the idea of community boards acting in service of a larger public good. One solution would be to hold community board general elections, as is done for parallel entities in Houston, Texas; however, launching and funding political campaigns can be a full-time job and

may pose too great an obstacle for those who have great passion for the neighborhood but fewer resources. There are other options (see below) for tackling the patronage criticism.

Another complaint is that boards are obstructionist, tending to reject rather than reshape development proposals. And finally, the criticism that community boards are not sufficiently representative has undermined their legitimacy and ability to make the claim that their decisions are an accurate reflection of the will of the people in that district.

Before we give community boards more power to plan, we need to make sure that the plans boards create represent the interests of the diverse population of each district. There are less imposing alternatives than quota systems available to create the most representative boards possible—increasing the pool of applicants through targeted outreach efforts linked to up-to-the-minute data portraits of each district turns the appointment process into a year-round, proactive effort that is linked with the daily operations of borough presidents' offices, as opposed to a once-a-year ritual, separate and apart from a fuller community development process.

The City needs to:

- Establish an Independent Community Board Advisory Panel for each borough to assist in screening community board applicants according to standardized and publicized criteria.
- Require each borough president to annually document and report upon the current composition of each community board in the borough, using the categories specified in the community composite profiles created by the Office of Community Planning.
- Require each borough president to address inconsistencies between community district composite profiles and community board membership by a creating targeted outreach plan for each community district.
- Require that the Public Advocate review consistency of borough president outreach plans with the community district composite profiles.
- Link the number of community board members to district population (one additional per 5000 above city average, currently 135,000).
- Increase terms to four years; limited to three terms; allow members to reapply after a two-year absence.

4. Strengthen the Role of Community-Based Planning

Plans are created by assessing current conditions and needs and then projecting forward. It is a process of matching vision with educated guesses about what will take place in the future. Sometimes variables shift according to forces outside of municipal control (i.e., the state of the global economy; federal immigration policy; and housing subsidies). While it may not be prudent to legally require the implementation of plans knowing that the variables that underpin them may shift or change, it is equally imprudent to spend resources and energy in the creation of plans that have no secure connections to the city's land use process, budget, or citywide land use policy.



The fact that 197-a plans are merely advisory means that they can be easily ignored or overridden. The fact that they are not automatically linked to district needs and budgets means that communities must spend nearly as much time and energy in watch-dogging to ensure compliance with 197-a plans as they did in the creation of 197-a plans.

Without support and implementation for community planning, the process is perceived as ineffective and inefficient; communities get frustrated; development is delayed; and faith in government erodes. The City must require a broad role for 197-a plans in the land use review process that reinforces their standing as city policy and ensures that those components of 197-a plans that are within the power of the Department of City Planning to implement are done so expeditiously.

To strengthen 197-a plans, the City must ensure that:

- Any land use action that deviates from an adopted 197-a plan trigger additional scrutiny in the review process.
- The Office of Community Planning monitor all land use actions for compliance with adopted 197-a plans.
- The Department of City Planning, within 90 days of adoption, determines which 197-a plan recommendations are appropriate for ULURP.
- Once determined, the Department of City Planning should file an appropriate ULURP application within 30 days.

V. Additional Challenges

Linking plans to the budget would result in greater accountability and transparency. There is currently not a strong linkage between 197-a plans and the actions of any city agencies other than the City Planning Commission. Neither the Charter nor the subsequent rules promulgated by the City Planning Commission connect 197-a plans to Section 2505 district service cabinet functions and Section 2707 agency budget and service statements. Coordinating these aspects may not have been anticipated during 1989 Charter revision, but as 197-a planning and community planning generally have evolved, the need to connect place-based planning with service agency planning has grown more and more apparent. 197-a plans provide an important opportunity for integrating the services and projects of different city agencies at the community district level. They deal with issues that cross agency lines and provide the strategic planning framework to develop coordinated Section 2707 agency budget and service statements.

The recommendations laid out here in relation to strengthening 197-a planning address only the actions of the Department of City Planning, yet 197-a plans, because of their comprehensive nature, address the functions of many of the city's operations agencies—the Department of Transportation; the Department of Parks and Recreation; the Department of Sanitation; and Housing Preservation and Development to name just a few of the more obvious. Similar legislative measures need to be crafted to address how to reconcile the operations of these agencies with 197-a recommendations.

While there are clear advantages to having a more transparent, representative, and accountable planning process, there are also some real costs attached to achieving reform. Most of the hard costs of these recommendations come in relation to increasing the budgets of community boards to hire planners. The cost for adding 59 planners to the city's payroll is minimal; however, in relation to the overall city budget (\$50,000 each for a total of \$2,950,000) yet the improvements to decision-making and improved community board performance would be enormous. Small increases in fees for ULURP and building permits could provide a revenue source.



VI. Current Opportunities for Reform

An initial legal analysis of the recommendations spelled out here determined that it is within the grasp of City Council to make these changes to the city charter and administrative code without going through the process of amending the charter via referendum.

Yet the Charter Revision Commission rumored to be assembled in early 2010 to review and make recommendations on the operations of city government presents an opportunity to insert reforms to the city's planning process. Once the members and mandate of the commission are made public, the process of getting "Planning for All New Yorkers" onto the agenda can begin.

Now is the time to set the Department of City Planning and the City Planning Commission in motion on the creation of a comprehensive planning framework that builds off of the goals and objectives in PlaNYC2030 yet goes further to create a dialogue between the City of New York and its diverse neighborhoods.

VII. Appendices

Appendix A: Task Force Members

COMMUNITY BOARDS

Bronx Community Board 2
Bronx Community Board 5
Bronx Community Board 6
Brooklyn Community Board 2 *
Brooklyn Community Board 3
Brooklyn Community Board 7
Brooklyn Community Board 9
Manhattan Community Board 1
Manhattan Community Board 2
Manhattan Community Board 3 *
Manhattan Community Board 6
Manhattan Community Board 12
Queens Community Board 3

ELECTED OFFICIALS

Manhattan Borough President Scott Stringer
Council Member Maria del Carmen Arroyo
Council Member Gale Brewer
Council Member Helen Foster
Council Member Robert Jackson
Council Member Letitia James
Council Member John C. Liu
Council Member Melissa Mark-Viverito
Council Member Miguel Martinez
Council Member Rosie Mendez
Council Member David Yassky

ORGANIZATIONS

Center for an Urban Future
Citizens Committee for NYC
Citizens Union
City College Architectural Center
City Lore / Place Matters
Coalition to Preserve Community
Connecting.nyc Inc.
Council of Brooklyn Neighborhoods
Develop, Don't Destroy Brooklyn
East Midtown Coalition for Sensible Development
East Harlem Preservation
Families United for Racial & Economic Equality (FUREE)
Fifth Avenue Committee
Four Borough Neighborhood Preservation Alliance
Friends of the High Line
Greenpoint Waterfront Assn. for Parks & Planning (GWAPP)
Halcrow
Hell's Kitchen Neighborhood Association
Historic Districts Council
Kingsbridge Heights Neighborhood Improvement Assoc.
Lower East Side Ecology Center
M&R Strategic Services
The Municipal Art Society *

Myrtle Avenue Brooklyn Partnerships *
Neighbors Allied for Good Growth (NAG) *
New York Lawyers for the Public Interest
New Yorkers for Parks
New York Professional Nurses Union
The North Shore Waterfront Greenbelt *
The NYC Environmental Justice Alliance
New York Public Interest Research Group (NYPIRG)
Organization of Waterfront Neighborhoods
Picture the Homeless
Planners Network *
The Point Community Development Corporation
Pratt Center for Community Development *
Project for Public Spaces
Queens Community House
Red Hook Civic Association *
Regional Plan Association
Rockaway Waterfront Alliance
South Asian Youth Action (SAYA!)
Southwest Brooklyn Industrial Development Corporation
Sustainable South Bronx (SSBX)
United Puerto Rican Organization of Sunset Park (UPROSE) *
Urban Agenda
VIP Community Services
We Stay/Nos Quedamos *
West Harlem Environmental Action (WeACT)
Westsiders for Public Participation
Youth Ministries for Peace & Justice

INDIVIDUALS

Annetta Seecharran
Arturo Sanchez
Brendan Sexton
Ethel Sheffer
Gregory Haley, AIA
Eva Handhardt *
Jane Churchman
Jocelyne Chait
Jonathan Martin
LaQuita Henry
Lee Norsworthy

Naomi Zauderer
Pat Jones
Ron Hayduk
Ron Shiffman, AICP

Stuart Pertz, FAIA *
Tim Tompkins
Thomas Kappner
Tom Lowenhaupt *
Timothy Logan
Toya Williford
Walter South

* Executive Committee Members



Campaign for Community-Based Planning Milestones

- 2001** • Planning for All New Yorkers: the Briefing Book of Community-Based Plans

- 2002** • Held Community-Based Planning Conference
 - Published *The Livable City: Community-Based Planning*

- 2004** • Received endorsement of ten community boards
 - Held Community-Based Planning Summit – Over 100 participants
 - Successfully prompted the City Council to hold oversight hearings on future of community boards

- 2005** • Formed Executive Committee
 - Published *Livable Neighborhoods for a Livable City: Policy Recommendations to Strengthen Community-Based Planning in New York City*
 - Upon request of Charter Revision Commission, submitted recommendations for changes to city Charter

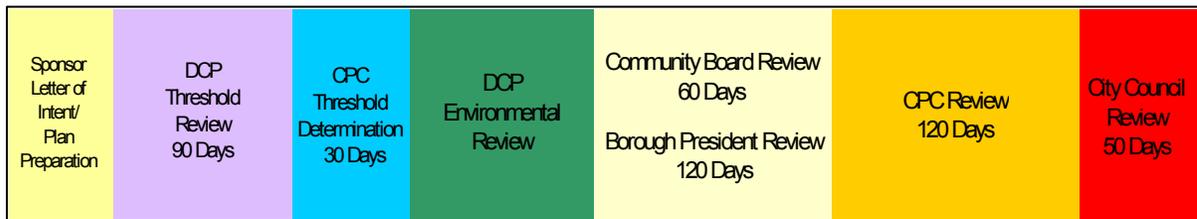
- 2007** • Launched www.communitybasedplanningnyc.org

CURRENT

The Community-Based Planning Task Force has drafted *Planning for All New Yorkers*, a reform framework for bring New York’s planning processes into the 21st century.

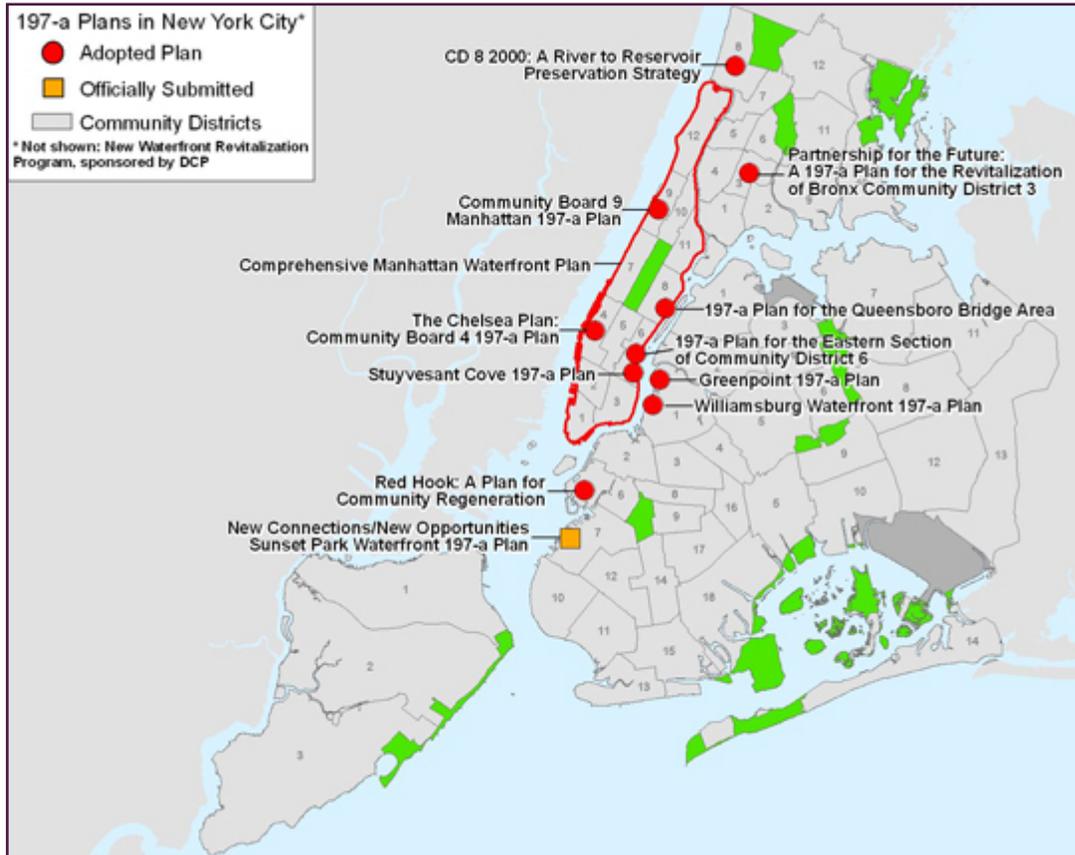
Appendix B: Steps in the 197-a Review Process

1. Letter of Intent/Plan Preparation
2. Plan Submission
3. Threshold Review
4. Threshold Determination
5. Environmental Review & Determination
6. Community/Borough Review
7. City Planning Commission Substantive Review
8. City Council Review
9. Distribution of Adopted Plan



Source: NYC Department of City Planning, last accessed 12/2009

Appendix C: Adopted 197-a Plans



Source: NYC Department of City Planning, last accessed 12/2009

Appendix D: Nationwide Planning Process Case Studies

Seattle, Washington

Since 1995, the Seattle Department of Neighborhoods (DON) has provided citywide coordination for the Neighborhood Planning Program. The program, which was created to provide technical assistance for communities to enable them to respond to the state's Growth Management Act, links community plans directly to funds through the Neighborhood Matching Fund and Neighborhood Budget Prioritization program. DON manages these programs through a citizen-led planning council. To date, 38 community-based plans have been created (in contrast to NYC's 10 adopted community-initiated 197-a plans). This planning framework, which set growth targets for Seattle neighborhoods, helped communities create plans that balance neighborhood, city, and regional needs. By having neighborhood-based plans directly linked to funding, neighborhoods were able to implement their plans and growth in Seattle has been adequately addressed. DON is currently in the process of helping communities update their plans to accommodate an additional 100,000 Seattle residents by the year 2024.

Minneapolis, Minnesota

The Minneapolis Neighborhood Revitalization Program (NRP) is an investment-based program that was established in 1990 to help Minnesota's residents create Neighborhood Based Action Plans. The NRP office provides technical assistance to groups creating community-based plans and funding to help implement them once they are approved by the Minneapolis Policy Board and city council. The NRP helps neighborhoods work in concert with government and private entities to create comprehensive plans that address everything from housing to safety to social services and transportation. NRP is a 20-year, \$20 million per year program. It is currently in Phase II with existing plans being updated. So far, 44 of the city's 72 plans have already been updated and over \$250 million dollars have been invested using Tax Increment Financing. The city of Minneapolis has a comprehensive plan and the neighborhoods plans are the foundation for the city's planning framework.

Rochester, New York

Initiated by Mayor Bill Johnson in the early 1990's, Neighbors Building Neighborhoods (NBN) is a program of the Rochester Department of Planning that provides technical assistance to communities to help them create plans. The city of Rochester was organized into 10 sectors and each sector was responsible for creating its own plan with technical assistance provided by the Department of Planning. The community then had to identify partners for implementing their plan as well as resources. Once these components were in place, a plan could move forward. As of 2006, at least 76 percent of each community-based plan had been implemented. These plans have been used to create the City of Rochester's comprehensive plan which will be updated in 2010 after the new census is released.

Baltimore, Maryland

The Neighborhood Planning Program, launched in 2000, was established to help neighborhoods identify long-term goals that could be addressed through short-term



implementation actions. The program is implemented through the Baltimore Department of Planning. To date, 23 community-based plans have been created and the city of Baltimore is continuing to improve the program by working particularly on ways to make it more inclusive. The City of Baltimore created the Strategic Neighborhood Action Plan (SCAN) neighborhoods as a pilot program for neighborhoods in Southwest Baltimore. The program places an emphasis on inclusion, participation, and having a planning process that addresses a wide array of issues.

Houston, Texas

The Houston Super Neighborhood program, which is run by the Houston Department of Planning and Development, helps Houston’s “Super Neighborhoods” create community action items through a community-based process. Communities can choose to opt-in to the Super Neighborhood program and receive designation through a clearly defined city process that includes adopting by-laws. The governing body of Super Neighborhoods is similar to that of a NYC community board; however the board members are elected. Once a Super Neighborhood creates a list of community action items; it can track these items online in a transparent format. Most community action items are capital-related; however there are some studies and operational actions that are requested by Super Neighborhoods as well. To strengthen their effectiveness and influence, Super Neighborhoods have created an independent alliance that meets regularly.

Buffalo, New York

Good Neighbors Planning Alliance (GNPA) is a neighborhood-based planning process initiated by the Buffalo Office of Strategic Planning, as part of the City of Buffalo’s ongoing comprehensive planning efforts. The GNPA helps communities build their capacity to plan and assist them as they create community-based plans. The city’s comprehensive plan is directly linked to the city’s capital improvement and program budget and the planning department reviews all development proposals to ensure their consistency with the city’s master plan.

Portland, Oregon

In 2005, Portland initiated Vision into Action (VIA), Portland’s vision for 2030. Portland’s VIA initiative is cited as the largest citywide vision process in Oregon and the nation, having had over 17,000 people take part in this citywide vision session. The VIA coalition is community-led, and their work was built upon Portland’s past community-based planning efforts including the Neighborhood Planning Program which was created to update Portland’s comprehensive plan in the early 1990’s. In 2007, VIA was completed and the VIA committee is currently giving competitive grants to complete work that advances the vision of the city.



EVERGREEN

Your North Brooklyn Business Exchange

Testimony of Evergreen on Industrial Development Agency Benefits February 19, 2021

Evergreen is a membership organization that helps the nearly 1,200 industrial businesses in North Brooklyn to grow in order to keep their 11,700 quality blue collar jobs in our community. This represents 14% of the City's manufacturing employment base. We are submitting this testimony in support of the NYC Industrial Development Agency in light of the many benefits they provide to growing businesses, particularly ones located in NYC's Industrial Business Zones.

Manufacturing is alive and well in New York City, and for the past 35 years Evergreen has fought to keep it that way. We serve companies that make everything from bespoke suits to architectural steel, from store installations for Park Avenue boutiques to fortune cookies for corner takeout joints. This is a dynamic combination of businesses old and new, traditional and innovative, big and small. But what they create most are good paying jobs for the people who live here. Evergreen serves as their voice in the community and advocate beyond it. We help these businesses get financing, find real estate, access incentive programs, and work tirelessly for support from city, state and federal government. Evergreen has worked to keep local businesses booming. As a result, New York City can continue to be a place where actual *things*, and not just ideas, are made.

Our community needs these jobs. Nearly 40% of the industrial workforce live in the local area. These jobs, on average, pay our residents 73% more than local retail establishments; or \$52,842 vs. \$30,620 annually. Additionally, over 60% of manufacturing jobs offer benefits, compared with 30% of service jobs. Also, these jobs frequently do not require English proficiency or advanced education. Considering many of our local residents do not speak English, live at or below the poverty line and are on some form of public assistance, these jobs offer the best path to self sufficiency and economic security for our community residents.

In recent years there have been fewer and fewer programs designed to incentivize business growth in NYS and NYC—IDA benefits are the most robust among those remaining. For private property owners that are purchasing or making a significant investment in their property the NYC IDA offers significant benefits including a property tax abatement, waiver of the mortgage recording tax and a sales tax waiver on materials purchased for construction. These can significantly reduce the upfront costs for businesses purchasing and renovating property in NYC. Additionally, there is an enhanced land tax abatement for projects within NYC's Industrial Business Zones; these benefits accrue largely to growing industrial businesses which provide high quality employment to local residents.

These benefits are not only for private industry making significant investment in their properties—our organization is currently developing a multi-tenanted building in the North Brooklyn Industrial Business Zone at 500 Stagg Street that when completed will be leased out at below market rates to several small manufacturers. The benefits we have received from the NYC IDA program have had a tremendous positive impact on our 500 Stagg Street project and will continue to do so long into the future. As a small nonprofit, it is impossible to buy



EVERGREEN

Your North Brooklyn Business Exchange

property without assistance, and without nonprofit ownership and subsidy it is very difficult for industrial businesses in our community to find affordable rents. This is a real problem because as noted these businesses offer high quality jobs with low barriers of entry and draw heavily on the local population.

Because of the IDA, we were able to invest in a warehouse that we will turn into a multi-tenant manufacturing facility. First, we received a significant mortgage recording tax waiver. Since we had to not only close on a multi-million dollar property but also the costs of construction and interest as part of a large bridge loan, the recording tax would have been substantial. Lowering this cost helped our equity go farther.

Second, we received a 25 year property tax abatement, with 15 years of no taxes and then a gradual phase in over the following 10. We had expected to be in construction much sooner, but given the pandemic, everything is delayed. Property taxes, however, must still be paid. We have been fortunate to not be adding this expense while the building is still not occupied and able to bring in cash flow. Additionally, the lack or lowering of taxes ensures that we can honor our commitment to the City and of our mission to provide rents that will be 20% below market and do so for decades to come. Given the cost of real estate, we would be incapable of doing this otherwise.

Finally, we are getting a sales tax exemption that can apply to not only 500 Stagg Street LLC but also our GC and sub-contractors. This is crucial because our construction budget is very limited and the savings give us some flexibility to ensure we can deliver a top notch building after renovation.

Protecting and promoting our industrial sector is crucial to the city's overall economic development. The sector provides close to 500,000 jobs in New York City, making up nearly 15% of the city's workforce, and contributed \$1.7 billion in tax revenues. The manufacturing and industrial sector is not only a strong component of our economy but a reliable source of jobs for many of our fellow New Yorkers.



EVERGREEN
Your North Brooklyn Business Exchange

Evergreen's Testimony on Comprehensive Planning Proposal February 22, 2021

On behalf of Evergreen, I am writing to discuss our organization's initial thoughts on the proposed Comprehensive Planning initiative. Evergreen is a local development corporation that works to help businesses in industrial North Brooklyn grow in order to retain high-quality working-class jobs in our community. Manufacturing is alive and well in North Brooklyn, and for the past 39 years Evergreen has fought to keep it that way. North Brooklyn companies make everything from bespoke suits to architectural steel, from store installations for Park Avenue boutiques to fortune cookies. This is a dynamic combination of businesses old and new, traditional and innovative, big and small. But what they create most are good paying jobs for the people who live here.

Comprehensive Planning

Evergreen believes that a proactive comprehensive approach to community planning is necessary to identify goals for future community growth and incentivize the sorts of developments that align with these goals. At present development in our Industrial Business Zone is largely driven by private developers seeking opportunities to undertake developments that may or may not be conducive to industrial job growth. Additionally, these developments are not considered in the context of local infrastructure constraints and other pressing community needs. We frequently meet with property owners and developers to review their proposal to determine if it complements or at very least does not undermine industrial job growth. A more proactive approach to community planning could bring together stakeholders to identify local growth priorities and streamline individual development requests. It could examine each community in the context of its role within the borough and NYC, and set forth clear goals for future development. Comprehensive planning can consider a wide range of variables including transportation, housing, equity and other social issues rather than rely upon making individual land use decisions one after another independent of other community needs.

Evergreen undertook a Brownfield Opportunity Area planning study, conducting research and soliciting stakeholder input, to develop a vision for growth in North Brooklyn. We utilize the results to make recommendations that align with our goals, but can see that a broader comprehensive planning effort could be significantly more robust and evaluate projects on a wider scale.

Evergreen believes that there are many positive attributes to the Comprehensive Planning proposal. It can improve cross-agency coordination, elevate proactive planning efforts beyond city agencies, analyze projected needs of the city and community and chart a plan for growth in each unique community in our city. However, in order to ensure true economic equity it must distribute assets and municipal functions among communities



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equally. Further, it should be constructed in a way that it does not empower NIMBY opposition to any growth at all. And finally, it must be implemented in a way that sees industrial and business job growth as valuable, and not default to recommendations that prioritize non-compatible uses in industrial areas simply because they are popular.

To Ensure Equity, Prioritize Industrial Job Growth in Planning

Our community needs these high quality industrial jobs. Nearly 40% of the North Brooklyn industrial workforce lives in the local area. These jobs, on average, pay residents 73% more than local retail establishments; or \$52,842 vs. \$30,620 annually. Additionally, over 60% of manufacturing jobs offer benefits, compared with 30% of service jobs. Also, these jobs frequently do not require English proficiency or advanced education. Considering 20% of our local residents do not speak English, 31% live at or below the poverty line, and nearly 37% of are on some form of public assistance, these jobs offer the best path to self-sufficiency and economic security for our community residents.

In Evergreen's 2017 North Brooklyn Brownfield Opportunity Area Study (BOA), which is comprised of the North Brooklyn Industrial Business Zone (IBZ) and Ombudsman Area (OMB), we learned that firms in the study area employ nearly 20,000 workers, 69% of which are in industrial sectors. Many workers commute directly from nearby zip codes in Brooklyn and Queens. 55% of workers are foreign born, and this district has a larger share of minority workers when compared with the city or the borough. Industrial job growth in the study area has outpaced Brooklyn and New York City in recent years. Though manufacturing employment declined in between 2000-2008 in both the BOA and New York city overall, manufacturing employment stabilized since then. Industrial jobs in the study area grew 9% since 2010.

Evergreen fields dozens of requests for assistance in locating industrial real estate each year. However, despite this demand, there is an ever-shrinking supply of available properties at affordable rates. This is in no small part a consequence of the 2005 rezoning, where the amount of M-zoned land was significantly reduced, and of the ongoing illegal residential and legal commercial conversion of our remaining manufacturing buildings. We often find that while businesses in North Brooklyn are interested in expansion, they increasingly have nowhere to go in the City. If we do not protect our industrial and manufacturing spaces, these businesses will be unable to expand locally and the community will lose valuable job opportunities for our residents. Both our real estate subsidiary and fellow nonprofit industrial developers have long lists of small manufacturing businesses interested in leasing in our properties; far more than we will ever have space to lease to.



Testimony from Fred Freiberg on Intro. 2186

Friday, February 26, 2021

Public Hearing of the Committees on Governmental Operations, Land Use, and Subcommittee on Capital Budget of the New York City Council

My name is Fred Freiberg. I am the Executive Director and co-founder of the Fair Housing Justice Center (FHJC), a regional civil rights organization based in New York City. Our mission is to eliminate housing discrimination; promote policies and programs that foster open, accessible, and inclusive communities; and strengthen enforcement of fair housing laws.

The FHJC fully supports the idea of a robust and comprehensive planning framework as a tool for equitable planning at a citywide level. From a fair housing perspective, a citywide lens and assessment of the City's goals, policies and procedures is a requirement for addressing long-term patterns of segregation that remain entrenched in New York City. And so, our concerns about the proposed legislation are anchored in our experience with the City's lack of a commitment to fair housing. These concerns undergird our recommendations for additional provisions that integrate and clarify the City's fair housing mandates into the planning process. You will find attached our previous comments on the City's *Where We Live* initiative, aimed at mirroring the requirements of the federal fair housing assessment process, and its failure to provide useful analysis and recommendations on necessary changes to the City's own policies and programs.

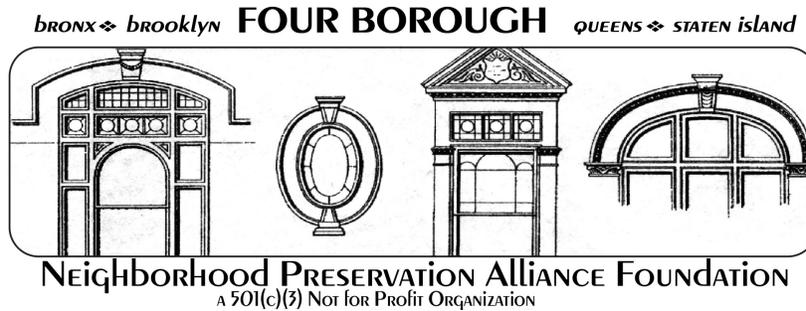
Our position is that a comprehensive plan process should clearly set out the City's obligations under City, State and Federal law, notably to affirmatively further fair

housing. The FHJC recommends that the proposed legislation include language that indicates that the City's commitment to fair housing is not just a citywide "goal" but a mandate. We recommend including "fair housing" as one of the categories of analysis in enumerated lists within the Conditions of the City report; adding a fair housing mandate to the Office of Long-Term Planning; providing for a fair housing analysis and recommendations within the comprehensive planning process; and creating a position of a Fair Housing Officer who evaluates the initial comprehensive plan and successive amendments to the plan to ensure that, at a citywide level, the aggregate outcome of the district-level land use scenarios abides by fair housing laws and does not repeat or perpetuate past patterns of residential racial segregation.

While we support the idea of including an assessment of segregation, as set out in the Conditions of the City report, the methodology and content of the assessment has been left vague. Our hope is to avoid repeat outcomes of *Where We Live* and delineate requirements for a fair housing assessment directly into the comprehensive plan process that exceeds federal requirements and provides instruction on using the assessment results in the planning process, as well as more specifically in the required analyses of the NYC Zoning Resolution.

In any comprehensive plan process, the framework must go beyond just an assessment of segregation and there are many questions left to flesh out in this proposal. What mechanisms are available within the comprehensive plan process if a fair housing analysis indicates that globally the citywide plan or a district level scenario reinforces or perpetuates racial segregation? How does this framework ensure a robust fair housing analysis within the multiple levels of bureaucracy from Community Boards to Borough Steering Committees to Long-Term Steering Committees and within the Office of Long-Term Planning? While we understand there are many additional concerns about how this comprehensive planning proposal addresses needs for reform and community, grassroots input, our goal is to provide the Council with an important perspective on the City's fair housing mandates that would be necessary within any comprehensive plan framework.

I thank the NYC Council for the initiative to move discussions on comprehensive planning to the forefront and for the opportunity to ensure that fair housing becomes an integral and necessary part of planning in New York City. I look forward to future discussions on the comprehensive planning proposal, as the City must step up to meet its fair housing obligations on local, state and federal levels.



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January 21, 2021

Dear Four Boroughs Members:

On Tuesday, January 19th, the Queens Civic Congress had a virtual meeting that focused heavily on a Intro 2186 sponsored by City Council Speaker Corey Johnson. This end-run around ULURP, would change the zoning in New York City in keeping with the radical social planners that want to ban single-family homes in the United States. Minneapolis has already done this, despite the fact that about 70% of the city consists of single family home zoning.

Corey's proposal eliminates single-family home zoning in New York City. No more R1 and R2 zoning. This affects all boroughs except Manhattan, so this is really a tailor-made issue for Four Boroughs.

I know that not all of you get a chance to read all of your emails, so I am sending this hard copy of Paul Graziano's analysis of the situation. I understand that this is being rushed through the City Council, so I advise you all to take action where you can. Contact your local councilmember that New York City zoning already permits a population of between 18-20 million people. There is no need to destroy the beauty and tranquility of the few single-family home districts in New York City, which has one of the lowest ratios of single family zoning to higher density zoning in America.

I am awaiting further guidance from the Queens Civic Congress on how they will mount a campaign to kill this bill. In the meantime, be alerted to the greatest threat to our neighborhoods ever.

Sincerely,
James A. Trent
James A. Trent
for Four Boroughs

Encl.: Paul Graziano letter

Hello,

My name is Frank Wu and I am submitting a written testimony in support of Intro 2186 which would create a ten year comprehensive Citywide plan.

This testimony is on behalf of myself as an individual, although I am on my Community Board 2 in Queens and also President of a local civic, the Court Square Civic Association in LIC.

Since moving to LIC several years ago from Manhattan, it became distressingly clear how the lack of long-term City-wide planning created a fundamental broken structure for infrastructure capacity [sewage, schools, parks, transit] for rapidly developing neighborhoods, and an ad-hoc “reactive” approach to try to fix the problem via individual ULURPs, in particularly in LIC.

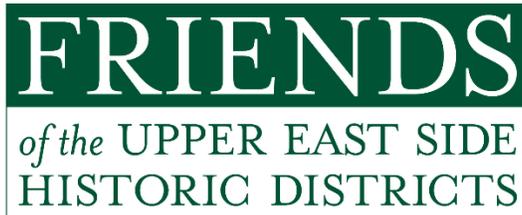
I understand there are groups who have apprehensions on this plan, however I believe NYC would benefit greatly from this comprehensive framework in place for planning, and moreover enable the “difficult discussions” that need to take place within communities and neighborhoods.

In particular, a discussion about [affordable] housing targets for example in neighborhoods that are ‘rich’ in transit, schools, grocery stores, etc. is warranted and makes sense to discuss that topic for the entire Community Board District as a whole, and in relation to NYC City-wide, rather than an individual ad-hoc specific siloed discussion that takes place today via ULURP.

At the end of the day, we are all connected to the greater whole. In my neighborhood, Court Square, it is part of LIC, which is part of Western Queens, which is part of the City of NYC. Individuals and communities should not take a siloed approach to neighborhoods, but understand what they do affects their neighbors, and nearby neighborhoods, often with varying ways of life, costs of living, and perspectives.

It will not be easy, but these conversations should be taking place and with real political muscle behind them, which clearly the City Planning Commission does not seem empowered to.

My hope is this passes and the City can take a more proactive, comprehensive approach to planning involving all stakeholders, enabling a framework to pursue a goal of a stronger and more connected NYC.



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February 23, 2021

New York City Council

Joint Hearing of the Committee on Governmental Operations, Committee on Land Use, Subcommittee on Capital Budget

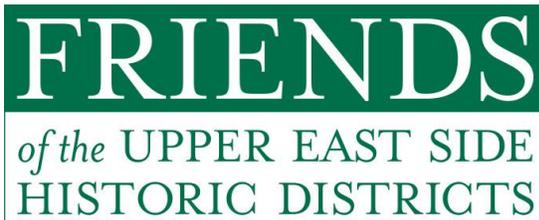
Re: Intro. 2186-2020, Planning Together

FRIENDS of the Upper East Side Historic Districts was founded in 1982. For 38 years, as a non-profit, membership organization we have worked to preserve the architectural history, livability, and sense of place of the neighborhood. We are a leading voice for common sense planning and land use and have led successful community efforts for contextual zoning and expanded historic district protections in our neighborhood.

Land use planning in one of the densest and most dynamic cities in the world is no easy feat. Competing interests and priorities, neighborhoods of every scale, and an influential real estate industry, all contribute to the challenge of sustainable and equitable growth. A holistic citywide planning process that streamlines current redundancies, provides a clear and equitable vision for the future, and empowers communities to have a voice in the future of their neighborhoods is a worthy and necessary goal that we support. However, this proposal falls short on nearly all counts.

At its core, Planning Together represents a top-down planning process that would centralize land use powers among the Mayor and City Council and prioritize “growth” goals above all else. Following the establishment of binding district-level growth targets set by the Long-Term Planning Steering Committee (LTPSC), the Mayor’s Office of Long-Term Planning and Sustainability (OLTPS) will develop three land use scenarios to accommodate that growth. The Committee, Community Boards, and Borough Presidents will recommend their preferred land use scenario, but the final and binding selection would be made by the City Council. Projects that are inconsistent with the plan will go through the existing ULURP process, while projects that align with the plan will require little additional environmental review and will be almost assured to proceed.

Though communities would have opportunities to be heard in an engagement process, this activity will be managed by the by the Mayor’s Office and local



feedback is not the primary input in the development of the land use scenarios. It is unclear how growth targets will be determined, if and how they will consider historic districts and landmarks, and what recourse communities will have if they disagree with the plans set out for their neighborhoods. The focus on growth in “high opportunity” areas within the city’s core also does nothing to support investment in historically disadvantaged neighborhoods and may further starve those areas of the city.

Rather than simplifying or streamlining planning in New York City, “Planning Together” grafts a complex new bureaucratic process, one that outlasts the term limits of any elected official, onto an already complex process. With community engagement led by the same outside body that is instituting the growth targets, and no mention of additional funding or professional support for community boards, we are all but guaranteed more “engagement theater” rather than any meaningful process with New Yorkers to come together on shared values and goals.

For a framework called “Planning Together,” one that purports to rectify fragmented planning mandates, lack of communication between city agencies, and insufficient proactive neighborhood planning, the release and dissemination of this proposal itself raises concerns. A proposal that would fundamentally overhaul the framework and pathways for citywide planning requires a robust public engagement process, at minimum including discussions with all 59 community boards, which has not happened to date. It also remains unclear the role of the Department of City Planning once much of its mandate is shifted to the Mayor’s Office of Long-Term Planning and Sustainability.

More coordinated and equitable planning is a worthy goal. But centralizing much of the planning process to the Mayor’s Office and City Council will further entrench the top-down planning processes that limit true community engagement, and further complicate planning in New York City.

GMDC

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WWW.GMDCONLINE.ORG

My name is Brian T. Coleman, and I am the Chief Executive Officer for the Greenpoint Manufacturing and Design Center (GMDC), the city's premier non-profit developer of industrial property. I am submitting testimony of behalf of GMDC in support of legislation to create a Comprehensive Planning cycle for New York City.

To date, GMDC has completed eight redevelopment projects, comprising approximately 800,000 square feet of industrial space. GMDC currently owns and manages six of these properties in Brooklyn and Queens. Our tenants include woodworkers, makers of home furnishings, display makers, metal workers, and other small business manufacturers who altogether provide over 720 quality jobs to New York City residents. The jobs in GMDC's building, like most of the jobs in manufacturing, are local, accessible jobs. These jobs are available to people with lower levels of education as 43% of the people who work in GMDC's buildings have less than a college degree. Forty-nine percent of the businesses in GMDC's buildings are owned or co-owned by women or people of color. The employees and business owners are New Yorkers, with 92% of them living in the five boroughs and 97% living in New York State.

GMDC has played a vital role in helping meet New York City's need for affordable, flexible production space for manufacturing businesses for the past thirty years. In support of the continuation of the creation and retention of affordable manufacturing space and quality jobs, ***we want to express our support for the proposed legislation to create a ten-year Comprehensive Planning cycle.*** Comprehensive Planning is an opportunity to highlight equitable economic development through planning to ensure New York City protects space for high-quality, good-paying jobs in Manufacturing Zones in the long term.

An analysis of the Zoning Resolution and change in land use over time through Comprehensive Planning will clearly expose the need to make adjustments that can protect both production space and infrastructure uses in M zones, as they compete with more profitable commercial and residential uses. Over the past thirty years, GMDC has moved from competing with illegal residential uses to commercial uses such as self-storage, big-box retail, and office when pursuing development in M Zones. The displacement of the quality industrial jobs that have always been located in New York City's M zones can be exposed by an analysis under the proposed Comprehensive Planning cycle which can also inform important methods of mitigation. Additionally, changes needed in the Zoning Resolution to promote equity in future development and ensure the quality jobs in M zones remain and grow in New York City, will become apparent if an analysis of the impact of past rezonings, which resulted in the loss of over 11 million square feet of industrial land, are conducted under Comprehensive Planning.

The jobs in GMDC's buildings and throughout the M zones in New York City are good-paying, quality jobs. The average salary in GMDC's buildings is over \$50,000 annually but throughout the larger M zones it is as high as \$69,000. Not every New Yorker can work in an office and not every New Yorker wants to work in low-paying retail and food service jobs, if they can even find a full-time job in those sectors. Protecting land for manufacturing and industrial uses can ensure New York City provides quality jobs for everyone. Comprehensive planning can support industrial retention, economic recovery, and future economic development by incorporating citywide targets for industrial space that can prioritize

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the good-paying jobs that exist in M zones. A review of the city's outdated zoning resolution through Comprehensive Planning will highlight the need to make updates that align with contemporary strategies to preserve these good-paying jobs.

Comprehensive Planning offers an important and exciting opportunity to change New York City's planning for the better; to truly achieve its goals, the legislation should be strengthened to ensure that the comprehensive plan has a maximum impact, meaningfully shaping future manufacturing zoning, development, investment, and policy in NYC. Our organization is excited to see this necessary legislation strengthened and adopted to ensure New Yorkers continue to have access to quality jobs in manufacturing for years to come.

Thank you for your time. I can be reached at 718-383-3935 x12 if there are any questions or conc

February 22, 2021

Speaker Corey Johnson, Chairs, Fernando Cabrera and Rafael Salamanca Jr. Members Keith Powers, Ben Kallos, Bill Perkins, Ydanis Rodriguez, Stephen T. Levin, Darma V. Diaz, Kalman Yeger, Alan N. Maisel, Carlina Rivera, Diana Ayala, Kevin Riley, Vanessa L. Gibson, Ruben Diaz, Sr., Peter Koo, Francisco Moya, Barry Grodenchik, I. Daneek Miller, Adrienne E. Adams, Antonio Reynoso, Inez Barron, Mark Treyger, Chaim M. Deutsch, and Joseph C. Borelli the following testimony is regarding **Int. 2186-2020 “Planning Together” (Requiring a comprehensive long-term plan.)**.

Currently one of the roles I play in my community is, Member of the Land Use/Housing committee. Recently we voted to approve a rezoning proposal for a parcel of land that would bring senior affordable housing to Woodhaven Boulevard. I spoke with a neighbor that had reached out to the board as they were opposed to the project and they weren't alone. I understood their concerns. As a member of the committee I worked with my other committee members to reduce the building size by one floor and secured assurances from the developer on various construction concerns. In my opinion our decision considered both the need of the immediate district and the needs of the overall borough and came to the best conclusion.

The current legislation as laid out in **Planning Together Final Report** (page 12) would in essence limit the community's input to come to a well balanced decision - like that cited above. Decisions that would normally come before the Community Board and receive deliberation would no longer occur because that particular rezoning is consistent with the “comprehensive plan.”

“The final adopted Long-Term Plan would then serve as the foundation for both public and private development decisions. Future land use applications that are consistent with the comprehensive plan would only be subject to a Council vote if the Council voluntarily “calls up” the application, thereby incentivizing land use actions that further the implementation of the plan, while maintaining mechanisms for review. “

In a recent meeting with the American Planning Association (NY Metro Area) Annie Levers speaking on behalf of the Council when asked about the need for Borough Steering Committees in lieu of Community Board input simply answered, “It is a well known fact that Community Boards aren't representative of the communities they are supposed to serve.” And where I agree with that in many instances, I must say that it is within the City Councils purview to rectify that.

To that end, it is also important to note that there is a lot of work being done to reform Community Boards. Between the work being done at the Civic Engagement Commission, upcoming Community Board member term limits, the vision of current and future Borough Presidents along with increased community engagement will all lead to stronger Community Boards. We must allow this work to continue giving it time to bear fruit. New Yorkers voted for these reforms and we must give those reforms a chance.

Whereas this proposal goes a long way to address our need to have a Comprehensive Plan, it is my assertion that this has some key issues and concerns. We cannot continue to build processes in this city that are top down. We are at our best when our movements are people powered. Over the past several years the Council shared that vision by launching and growing Participatory Budgeting that last year, 118,000 New Yorkers of all backgrounds and ages voted on \$39 million in projects in 32 Council districts. And Community Boards should provide the foundation of the Borough Steering Committee with 1 member from each Community Board, and 1 member appointed by the Borough President.

As this plan is an effort to reverse the course of a process built in 1961 a robust engagement plan should have been in motion. Meetings with Community Boards and conducting borough wide town halls would have been a meaningful start. Whereas it is clear that this plan represents an abundant amount of work and collaboration with a variety of valuable community organizations - Community Boards should have been a part of that process.

Until that engagement is realized and input is gathered and processed this bill needs to wait. However, this work must continue as we must stop this piecemeal approach to urban planning via zoning. Far too many times well intended programs and processes that are meant to meet the needs of the disenfranchised and marginalized wind up creating unforeseen circumstances. We can do better.

Heather E. Beers-Dimitriadis
Rego Park, NY 11374
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AUBURNDALE IMPROVEMENT ASSOCIATION, INC.
P. O. BOX 580331, STATION A, FLUSHING,
NY 11358

February 17, 2021

Testimony for Feb. 23rd, 2021 Hearing:

The Auburndale Improvement Association, Inc. is the oldest and largest in area civic organization in Queens County, having been founded in 1905 and incorporated in 1915. We have close to 500 members and we are a proud part of the Queens Civic Congress, the umbrella organization for over 100 civic and community groups in Queens County.

Our organization has been made aware of a new proposal that has been fast-tracked to the City Council for approval. The proposal is called "Planning Together, A New Comprehensive Planning Framework for New York City". The proposal has been put forth by City Council Speaker Corey Johnson. The proposal consists of a 50 plus page report. We believe that Comprehensive Planning is important, however, there are many aspects of this proposal that we find objectionable and unacceptable.

We understand that the proposal was not released to the Borough Presidents and the Community Boards when it was introduced in December. Furthermore, there was no input from the public in the preparation of this proposal. We do not understand all of the secrecy and the lack of transparency. So much for planning together.

The premise of the proposal is that the City will need additional units of housing, especially affordable housing. We understand that growth is necessary, however, the way to accomplish these goals, according to the proposal, is to force the community boards to choose areas to upzone in order to facilitate more dense development. Failure to do so will result in others outside of the community board area making the decisions. We feel this is intimidating. What's wrong with the current system where applicants who wish to upzone come before the community board and local residents and goes through a process that is open and above board?

This proposal would allow most future denser development in the upzoned areas to bypass the ULURP process. This would mean that the ability to review and weigh in on more dense development in our communities would be forfeited by the residents and the community boards. This is euphemistically known as "streamlining" in the proposal. This is unacceptable.

The proposal also implies that one family zoned areas may be eliminated. Much of Northeast and Southeast Queens are zoned as one family districts. If they are eliminated, then all of those neighborhoods could be developed with multi family homes as of right.

Our civic association participated in three contextual rezonings that occurred within our boundaries. During that time, we solicited much input from the public in our area. The responses from the residents were overwhelmingly in favor of curbing overdevelopment and protecting the character of our neighborhoods. The residents who lived in areas that qualified to be zoned as single family districts were particularly vocal to remain or be placed in that classification. The point is that

rezoning was a process that started with community input, not bypassing it. Civic and community organizations worked with City Planning, Borough Presidents, Community Boards, and other elected officials and local residents to accomplish our zoning goals. Now that is planning together!

According to the current Planning Together proposal, these single family districts that were designated as such, or were downzoned to their contextual level are described in the report as “whiter and wealthier” than other areas. This is misleading and incorrect. Many of the single family districts created have a majority of residents who are people of color and/or are made up of working class people. Our civic is offended by the racial inference in the report that the rezonings were only done to benefit one racial and one socio-economic group. It is simply not true. And if you look at our neighborhoods today, diversity is evident in all areas of Queens, as it should be, because we are a City of diversity.

As one reads through the proposal, the implication is that all of the past work of the City Planning Commission and the Department of City Planning has been faulty and now must be revamped to the viewpoint of the writers of the proposal, whomever they may be. They are telling residents that choose to live in areas that are predominantly one family in character that they can probably no longer have that ability to live that way, or perhaps, to be zoned that way. Single family districts are described as exclusionary in the proposal.

The proposal cites Minneapolis as a city where one family districts have been eliminated. Every city has specific needs and unique qualities. It does not follow that what is suitable for one place is suitable for other places. They erroneously imply that New York City could possibly follow Minneapolis’ lead.

Why should residents not be allowed to choose in what kind of neighborhood setting they desire? People move into single family neighborhoods after investing their savings because they like the ambiance and lower density living. Why should bureaucrats have the right to tell local residents that their chosen neighborhood and their way of life may be changed arbitrarily? That’s not the American way.

We strenuously urge all Councilmembers to reject this proposal. Concentrate on realistic ways of providing more units of affordable housing and growth, and involve all stakeholders in the process, including, residents, community boards, builders and developers, and elected officials. Do not scapegoat those who live in single family districts - most of which are in the far reaches of our city away from transit and infrastructure - with the City’s difficulty in creating more housing that is affordable. And if any upzoning is planned, it should be thoroughly reviewed in a transparent manner by the residents and community boards first, not foisted upon them as outlined in the proposal.

We also object to the speed that this proposal is being pushed forward. There is no time to properly have our civic members review this proposal and respond to it with comments and concerns. Even to register to speak at this hearing and submit testimony was extremely difficult and confusing. This is a deliberate attempt to have this proposal passed with the least possible input from the public.

Terri Pouymari, President
Auburndale Improvement Association, Inc.

Henry Euler, First Vice President

Alfred Ronzoni
2614 Jackson Ave 3E
Long Island City, NY 11101
aronzonijr@msn.com
516-238-3445

Dear Members of the Relevant Committees,

I am opposed to the adoption of Bill 2186 absent the following amendments proposed by Tom Agnotti, Professor Emeritus of Urban Policy and Planning at Hunter College and the Graduate Center at CUNY:

- Make fully-funded community-based planning an integral part of the comprehensive planning process.
- Establish a planning leadership that reflects the diversity of the population at both citywide and neighborhood levels by incorporating representatives from community, racial justice, and environmental justice organizations in the leadership of the planning process.
- Fully fund the city's 59 community boards to develop their own plans in close coordination with the citywide planning process.
- Make comprehensive planning an on-going process at all levels and not just a once-in-a-decade occurrence.
- Undertake a comprehensive revision of the Zoning Resolution with wide participation by communities, and revisions that guarantee zoning's consistency with comprehensive plans.

Sincerely Yours,

Alfred Ronzoni

Testimony on Intro 2186

I am against this proposal. It usual all kinds of words that makes us feel good but in the end it is

1. A top-down approach to planning for neighborhoods and eliminates public hearings
2. Plans for more density – I live in downtown Brooklyn where we have too much density and many hi rises that are empty. And, we have no open space, no park, no playgrounds. People have to walk at least half a mile to get to a playground in one direction and half mile to get to Fort Greene Park.
3. Takes away the power of the City Council and gives it to the Mayor. Why would that be a good idea?
4. And it can eliminate environmental review if a plan aligns with the Master Plan.

It is an all around bad bill and I urge you to vote it down

Irene Van Slyke
206 Bergen Street
Brooklyn NY 11217

I JOIN THIS OPINION

‘Upon close examination, the speaker’s proposal falls short and leaves the door wide open for the continuation of City Planning’s top-down, developer-driven rezonings by offering them a new shroud of legitimacy: a comprehensive plan engineered by city officials that fast-tracks rezonings.’

JANA LEO DE BLAS

To its credit, the council’s proposal recognizes displacement and inequality as categories for analysis. However, we need much more than development of their “displacement index.” The city must actively interfere with the forces driving the displacement of communities of color.

In sum, “Planning Together” is a first step but needs serious amendment. It should include the following:

- Make fully-funded community-based planning an integral part of the comprehensive planning process.
- Establish a planning leadership that reflects the diversity of the population at both citywide and neighborhood levels by incorporating representatives from community, racial justice, and environmental justice organizations in the leadership of the planning process.
- Fully fund the city’s 59 community boards to develop their own plans in close coordination with the citywide planning process.
- Make comprehensive planning an on-going process at all levels and not just a once-in-a-decade occurrence.
- Undertake a comprehensive revision of the Zoning Resolution with wide participation by communities, and revisions that guarantee zoning’s consistency with comprehensive plans.

Planning can be difficult and time consuming in such a large and diverse city with hundreds of neighborhoods, but that doesn’t mean it shouldn’t be done. Over a century of rule by zoning has left us with an aging building stock that is a major contributor to global warming, a chaotic and inadequate street network, a public transit system in need of repair, outmoded systems for energy and waste, an ineffective system of public safety, and one of the most racially and economically unequal populations on the planet.

Tom Angotti is Professor Emeritus of Urban Policy & Planning at Hunter College and The Graduate Center at CUNY, as well as the author of “New York For Sale” (2008) and editor of “Transformative Planning” (2020).

I add my opinion to that of Tom Angotti

JANA LEO DE BLAS

02/18/2021

Hello, my name is Jennifer Alvarado-Ross and I am a resident of Prospect Lefferts Garden in Brooklyn.

Thank you for taking the time to read and seriously take into account this testimony. While I understand and agree that we need a comprehensive plan, I am strongly opposed to any plan that is not seriously and genuinely based on the voices, needs, and desires of the communities that are affected. Any plan that does not come from the aforementioned communities from its inception, is doomed to leaves countless people in unlivable and unacceptable conditions. What it comes down to is a matter of peoples'—the people of the city of New York—human rights. The people have a right to be truly informed (in good faith), about any comprehensive plan and with the privilege I have of being informed about the true nature of this plan, I cannot accept its execution. WE MUST go back to the drawing board, so to speak.

To Whom It May Concern,

I have heard from some group called "NYC Citizens for Responsible Development" that Speaker Johnson's "Planning Together" initiative would have the following effects:

- The removal, not enhancement, of input from neighborhoods, Community Boards and elected officials in land use decisions
- Mandatory up-zonings required every decade in each Community Board area to increase high-density housing development and create a quota system
- The potential elimination of single-family zoning and off-street parking requirements in the entirety of the City of New York

If what they say is true, I'm strongly in favor of "Planning Together". We need to streamline the planning process and prevent a handful of conservative NIMBYs from blocking all positive change. Mandatory up-zonings sound like the kind of bold change we need to build new housing and improve affordability. Eliminating single-family zoning and parking requirements are sensible steps to make our city affordable.

Sincerely,
A. Jesse Jiryu Davis
7 Peter Cooper Rd #9G
New York NY 10010

Gowanus Green's colossal building would begin the ruin of our neighborhood. Its 950 units in 28 stories is an unreasonable size. Worse is that the larger rezoning plan would build 8000 units near Gowanus Canal, making a Gowanus City with 20,000 extra residents. That's more than current population of Carroll Gardens. This plan will flood the neighborhood with congested transit.

What are NYC goals for density in my neighborhood? Increasing density is OK if done in moderation. Don't double it, and don't single out one neighborhood. Nearby is 737 Fourth Ave where NYC approved 14-story tower. That seems a better compromise: not too tall and not toxic.

In Crown Heights, a 39 story tower in Crown Heights was called by DCP "way too much density ... grossly out of scale" and Mayor DeBlasio agreed.

I chose to live in a neighborhood not an urban center. Please don't ruin the neighborhood.

John Golden

- John Golden, 376 President St.

I urge you to oppose the comprehensive planning bill Intro 2186. While our city may need some kind of comprehensive planning over a 20-year horizon for physical infrastructure, this is the wrong bill.

It empowers a new, Robert Moses-like figure to set Soviet-style housing quotas in the already dense and over-developed core of our city, takes away Councilmember deference, and makes a mockery of any attempt to democratize land-use decisions. Worse, it is a product of trickle-down supply-side theorizing about housing which has proven itself to be a failure already. The law pre-judges where to add new density and embodies that in law, rather than making the distribution and upper and lower bounds of density the object of discussion and planning. That is planning exactly backwards! The law also relies on unscientific indices of “displacement risk” which is extremely dangerous, as displacement is as much a political phenomena of bad laws on the books (or the lack of good laws) as much as it is problem of the housing market. Please vote no and develop a better law that includes more self-determination for local communities and is not so biased and focused on assigning housing targets to predetermined areas.

Please oppose intro 2186.

Katherine O'Sullivan

Re: Intro 2186 February 23, 2021

This letter is to express strong opposition to Int. No. 2186 aka "Planning Together". The bill does not demonstrate adequate comprehensive "planning". More egregiously it leaves out the concept of "together". The community residents, small businesses, and creators are left out of the process and the Community Boards are further muted when their role should be enhanced.

While the bill espouses many ideas that I agree with in principle - particularly the high ideal of equitable land use planning - the exact opposite will be burned into the land use process.

We already have a de facto top down planning process where the largest and most powerful developers set the agenda. This bill would memorialize and make permanent the concept that outside experts have the primary deciding power. This is where we already have been and what has created unaffordable live and work space throughout the City that has devastated neighborhoods and local economies even prior to the pandemic.

The pace at which this bill has been put forth and being pushed is an insult to a City reeling under the effects of Covid-19. It seems a cynical backdoor attempt to firmly assure the power and influence of large scale developers and their well paid advisors. At its heart it firmly locks out a direct, thoughtful, and measured process from within the Community.

Please vote no.

Kenneth Greenberg - Resident and Business Owner
1030 46 Rd
Long Island City, NY 11101
kenny@neonshop.com



THE COMMITTEE TO PRESERVE THE UPPER WEST SIDE

**Testimony of LANDMARK WEST!
Before the Joint Committees on Governmental Operations, Land Use
and the Subcommittee on Capital Budget
Planning Together
February 23, 2021**

LANDMARK WEST! is a not-for-profit community organization committed to the preservation of the architectural heritage of the Upper West Side.

LANDMARK WEST! wishes to comment on City Council's PLANNING TOGETHER proposal, Intro 2186.

LANDMARK WEST! believes at our core, that we are part of the greatest City in the world. We are thus very protective of it. When *Planning Together* was first announced, we were eager to review it and learn more about the plan but instead found many concerns.

LANDMARK WEST! is a preservation group, and by nature we are hardwired to take the LONG VIEW—much like planners are.

These are our concerns about *Planning Together*:

- **Planning Together** runs counter to everyone who has been working to reenergize the power of neighborhoods and limit the power of big money developers and lobbyists.
- **Planning Together** projects a goal of inclusivity and yet this proposal was drafted by three entities without public input, and nominal public notice.
- **Planning Together** proposes additional mayoral powers and bigger government while simultaneously removing community board input.
- **Planning Together** would compromise the City Planning Department, and swing the balance of power from the existing model wherein the City Planning Commission is comprised of a chair (appointed by the mayor) and six other members: one per borough president and one appointed by the New York City Public Advocate. Rather than share representation, final decisions would all be funneled through the Mayor's office. Although many diverse parties are involved along the process, those roles are purely advisory and ultimately can be subject to mayoral whim and favors.
- **Planning Together** does not cite the metrics and rubrics for weighing those statistics for making decisions. Although affordable housing and equality are important goals, there are no considerations of existing densities identified in the decision making process. Several areas earmarked as opportunity zones are also already the densest neighborhoods in the country.

LANDMARK WEST!

THE COMMITTEE TO PRESERVE THE UPPER WEST SIDE

By design, density already follows the transit lines, many of which have not changed in decades. If these areas are deemed the opportunity zones, it only further favors highly developed areas and leaves the less served areas increasingly less served, not more as the report suggests might happen. The City should want to build out infrastructure for a more even distribution of opportunities. As described, these dense areas with transit would take additional density and by extension then be the first in line for the new schools and infrastructure resources that the city builds. By this logic, these practices do nothing to improve the comparatively less-advantaged areas but further starves them, displacing residents to statistically “better” neighborhoods.

- **Planning Together** does not mention landmarks, historic districts nor the value of place-making, but rather favors building-placing above all else, even at the peril of our historic assets.
- **Planning Together** seeks to engender trust from a population that has become disillusioned with the process in part by undoing decades of community-driven land use actions such as contextual zoning, special zoning districts, historic districts, and other protections.

Let’s work on a truly collaborative—and truly comprehensive plan. One that responds to this litany of concerns and still achieves New York’s vision. Together.

Testimony on INT 2186, A Local Law to amend the New York city charter in relation to requiring a comprehensive long-term plan

Committee on Governmental Operations Jointly with the Committee on Land Use and the Subcommittee on Capital Budget

February 23, 2021

Laura Wolf-Powers, Associate Professor, CUNY Hunter College (speaking for myself, not my employers)

I am here to express support for the comprehensive planning legislation introduced by Council Speaker Johnson along with Council Members Reynoso, Lander, Rivera, Gibson, Kallos, Salamanca, Brannan, Levin, Rodriguez, Powers and Constantinides. These representatives and their staff have proposed a citywide planning framework that is long overdue. In New York City, the substitution of zoning for planning and the lack of a values-informed strategy for stewardship of our land and infrastructure exacerbate long-term structural inequality and environmental injustice every day. They enable the extraction of profit at the expense of communities every day. That is the current existing condition. The Council has the opportunity to take a bold step toward fixing that condition by adopting this legislation.

How would this legislation transform our broken planning system? It would give the director of the Mayor's Office of Long-Term Planning and Sustainability (OLTPS) the power to coordinate the work of city agencies that currently **do not coordinate with one another at all**. Under the current system there is no relationship between land use actions and capital budgeting, which is ridiculous. Land use planning is a reactive, project-by-project process that has no connection to infrastructure decision-making and no connection to any kind of strategic vision for the city. This makes it very easy for property owners, developers, and others who stand to gain from the current chaotic system to manipulate the process. Under current practice, the bulk of the costs associated with the mania for luxury growth, and the bulk of the costs of unpopular but needed physical infrastructure, fall on historically marginalized communities. It is not an acceptable status quo.

Some people believe that the proposal would create a system that is more centrally controlled, more top-down, and less participatory than we have now. **This is not the case**. Mayoral agencies are currently in charge of everything that Director of the Mayor's Office of Long-Term Planning and Sustainability would be tasked with under the new system. Under the new system proposed here, the Office of Long-Term Planning and Sustainability would work from a Conditions of the City report to develop a Citywide Goals Statement and ultimately a comprehensive citywide plan. Along the way, the OLTPS director would listen to members of the public on a regular basis. She or he would listen to the advice of a Steering Committee that deliberately includes people who have historically been underrepresented in planning and decision-making. Borough Presidents and their staffs would provide input. Community boards would provide input. Members of the public who have not historically been plugged in to the opportunities for

participation that community boards offer would provide input. And the ultimate plan has a baked-in accountability structure, because it would be **required by the Charter** to reduce and eliminate disparities in access to opportunity and the distribution of resources and development across race, geography, and socioeconomic status.

It is true that this proposal does not create a formal system in which “communities” are responsible for their own planning and have the final say. But as much as I believe we need a system in which civil society and community groups are constantly protesting injustices, challenging powerful institutions, and creating counter-institutions, I don’t believe that a comprehensive planning system that gives ultimate decision-making power to individual geographically defined communities would succeed in embodying our values, and here is why. As advocates for social justice and reparative planning, we often use the terms “community-based” and “equity-based” interchangeably. The underlying assumption there is that at the micro-local level, advocates of inclusion and equity will be able to prevail. But we have all seen the cases in which **this does not happen**. While disenfranchised neighborhoods get up-zonings, predominantly white, politically powerful neighborhoods get down-zonings. While low-income communities of color are overburdened by sanitation infrastructure and traffic, high-income communities get amenities. The community level encompasses not just the historically excluded populations that progressives want to empower, but also historically privileged groups eager to hoard that privilege at the *expense* of excluded populations.

I 100% agree with my friend Tom Angotti, who urges the city to “establish a planning leadership that reflects the diversity of the population at both citywide and neighborhood levels.” But I think that the first place that we need to establish that leadership is at **the city level**. That’s why I am going to fight to help elect a Mayor who will appoint a badass Director of Long Term Planning and Sustainability. That director, **if there is a comprehensive planning system in place**, will be able to start dismantling the inequality and injustice that we see all around us, by tapping into the energy and activism of community organizers and community-based organizations across the city. That’s my theory of change.

As a final note, I want to urge the authors of the legislation to clarify subdivision e section 20 item iv, which discusses “potential land use scenarios for accommodating community district level targets.” This section of the legislation is leading to a great deal of confusion, and even causing some to believe that the proposal would involve mandatory up-zonings. In fact, the land use scenarios would simply be a framework that future rezoning actions would get measured against. But it is important that the public understand this, and that they realize that ULURP, with every one of its safeguards, would remain in place under the new system.

The proposed planning framework is not perfect in every way. It mentions “growth” more often than I would like. There are battles ahead. But this legislation will, in my view, provide the opportunity to build a framework in which ordinary New Yorkers can finally hold city officials accountable for addressing their needs and priorities, and keep them from shifting costs onto them that should be distributed more equitably. That is why I strongly support it.

What kind of planning do we want? Not another Robert Moses!

 thevillagesun.com/what-kind-of-planning-do-we-want

BY LYNN ELLSWORTH | In 1961, Jane Jacobs, author of “The Death and Life of Great American Cities,” called city planning “a pseudo-science” that had “arisen on a foundation of nonsense.”

Jacobs argued for an end to gigantic plans that relied on “catastrophic money” and “centralized processes” and “standardized solutions.” All that, she argued, just created “dead places” — like today’s Hudson Yards.

More recently, Sam Stein, in his book “Capital City: Gentrification and the Real Estate State,” chastised planners for serving the interest of Big Real Estate rather than the public good.

It is true that for all their talk of serving the public good, planners do appear to dislike citizens. For one, they are trained to think of citizens as generic NIMBYs standing in the way of their ideas. Moreover, as a profession, they tend to overly admire Robert Moses, the man who imposed his will on New York City in a way that was top-down, cruel and racist — not to mention plain destructive.

Moses’ defenders always respond, “At least he got something done,” and argue for more central planning power, skirting the issue of whether better plans might have been made in another way.

These issues have returned anew with the announcement of a proposed planning law that City Council Speaker Corey Johnson is promoting. The law is a very bad one. Citizens should definitely object to it, and stop this law before the city puts a new Robert Moses into power.

The purpose of the law is, to quote from it: *“to prioritize population growth, where applicable, in areas that have high access to opportunity and low risk for displacement.”*

(See the proposed law and the report about it called “Planning Together” [here](#).)

“High opportunity,” “amenity rich” and “well-resourced” are code words among planners for overdeveloped neighborhoods in the historic core of the city — Manhattan south of 125th St., Downtown Brooklyn, Brownstone Brooklyn around Prospect Park and the East River. (See Vicki Been’s report [“Where We Live.”](#))

These are high-density, overdeveloped, often historic places with lots of subways, good schools, good parks, good grocery stores and short commutes to Midtown and the Financial District.

Oddly, these areas are also places where Big Real Estate profits are highest and where most of the new development since 2010 has already been built. Why then is the planning law so laser-focused on driving growth to the already denser parts of the city, before the planning is even conducted? Why does a new all-powerful Director get to assign housing targets based on this high-opportunity theory? The law has planning exactly backwards.

We are supposed to use planning to figure out and debate where to put people (a.k.a. “density”) and infrastructure, not to do end runs around communities and drive new density to predetermined areas of the city!

Here are nine things wrong with the proposed “comprehensive planning” law:

1.) It fails to address the elephant in the room: the revolving door between Big Real Estate and government, thus undermining the legitimacy of the process. Big Real Estate has already captured many of the land-use regulatory agencies of the city; it thus imposes its vision upon us through its people who run the Department of City Planning, the Economic Development Corporation and the Board of Standards and Appeals. See, for example, my op-ed [“Fox Guarding the Henhouse at City Planning.”](#)

2.) The proposed law presupposes that the only way to deal with high housing prices is to obsessively build hyper-dense (and tall) near transit, which is what we have already been doing, based on a discredited trickle-down housing-supply theory. It’s a planning approach arising from a bad theory.

3.) It presupposes that the only way to deal with displacement risk is to build like crazy when, in fact, displacement risk needs to be managed in the first instance *through legislation*. Universal rent stabilization and the Good Cause Eviction Act would largely solve most of the displacement problem. Incremental building of more public-social housing units at the low end of the market would deal with the rest.

4.) It imposes Soviet-style housing targets on “low risk for displacement” neighborhoods, without having had binding public policy discussion about the upper limits or lower bounds of density. What kind of city do we want and how should we spread the benefits and burdens of density? The law presupposes that density can be infinite.

5.) The legislation presumes the scientific legitimacy of a dubious “index of displacement risk” that gets coded into law. This is just not credible. Such indices are built on a host of assumptions and not valid. Displacement risk is a political phenomenon as much as a market one.

6.) Also, the planning law ignores key questions for public debate. For example, when are we too dense to have a livable city? When are we not dense enough? How should density be distributed? Should it be distributed more evenly, like peanut butter on a slice of bread, or all

piled up in the historic core? And who should decide these questions, the Director or the citizens of the city? All this is simply ignored, even though these questions are the very heart of planning!

7.) At no point can neighborhoods, residents, taxpayers and citizens vote on any plans at any time. There is no voting, no referenda, no democracy. In other words, the proposed law is profoundly anti-democratic.

8.) Under the proposed law, the housing targets for each neighborhood rely on a bad theory that Big Real Estate loves: New population growth should be targeted to existing “high-opportunity” areas. That’s an invitation for selective overdevelopment, leaving the historic parts of our city vulnerable to more demolition while ignoring the investment needs of currently “low opportunity” neighborhoods.

There is also this troubling fact: Residents of low-amenity neighborhoods have clearly said they don’t want to move. (See the city report “Where We Live.”) They want their existing neighborhoods to have amenities every bit as good as the neighborhoods in the core. They just don’t want to be gentrified out — or, rather, displaced.

9.) The law strengthens an already king-like mayor and recreates a too-powerful Robert Moses figure in the form of “The Director.” Citizens would not be able to reject this person.

Procedurally, here’s how the planning system would work: The mayor would appoint a Robert Moses-like figure called “The Director.” The Director would produce research reports on a lot of topics, all required by the new law — which is O.K. Trouble arises when the Director is told by law to create housing targets (Soviet-style) for how much new housing each neighborhood (in high-opportunity/low-displacement areas) must produce.

The Director would create three scenarios for each neighborhood to accommodate their assigned housing targets. The City Council would pick one of the scenarios. If they said, “None of the above,” the Director would then pick a scenario for them. The scenarios would get bundled into a “comprehensive” 10-year plan for the entire city, approved by the City Council to become law.

Developers would have to convince the Director that a new development was consistent with the plan. If it was, they could avoid public review, citizen outcry or deference to the local councilmember for the particular project. A few public hearings are built into the process, but they are just advisory white noise, like they are today. Citizens and taxpayers never get to vote on the plan.

While this procedure sounds plausible for things like roads, schools, transit, parks, trash disposal, libraries, sewage treatment and tunnels, this plan is not really about those things. It’s really about requiring each neighborhood to fill those assigned housing targets.

The law creates new committees to work with the Director, with trivial, advisory roles. For example, the mayor, borough presidents and the City Council would appoint a 13-member “long-term planning steering committee” made up of demographically diverse “experts.” Their role would be to give advice to the Director — who could ignore it. The steering committee would also appoint five borough committees, which would provide borough-specific feedback at various points in the planning process. Their advice would also just be white noise. Community boards would do nothing different than what they do now.

To be sure, the city has a lot of problems that could use some better planning. For years, the Big Apple has not actually been growing, but instead leaking population (often black population), even before COVID. The population in the core is also too packed-in, making some neighborhoods unlivable. Other parts of the city are not dense enough and look like suburbs.

Parts of the city are definitely going to be flooded. Some schools are already massively overcrowded and in dire need of renovation. The subways, pre-COVID, were incredibly overcrowded.

Swimming is even a rationed resource: Children in core Williamsburg have to wait more than an hour in the summer heat to get into the McCarren Pool and can’t swim very long before getting rotated out. (I personally witnessed this in the summer of 2018. See also [a slide show by the Times Union](#).)

But we don’t need an all-powerful Robert Moses-like figure assigning housing targets to deal with these problems. Nor do we need a sham, focus-group version of “community planning” to pretend to be listening to us while it has already decided to direct population growth to the city’s overdeveloped core.

If you agree, call your city councilmember and urge him or her not to vote for this new proposal. We need something better, perhaps more focussed on basic infrastructure over a longer time period, with less preconceived biases about where “to direct growth.” And we need plan with a lot more democracy in it — not less.

Ellsworth is chairperson, Tribeca Trust, and president, Human-Scale NYC

Testimony re Int. 2186 2/22/21

As an active member of my upper west side neighborhood, I have witnessed the unprecedented expansion of out-of-scale residential development and zoning that changes the scale and identity of the neighborhood. It also wrecks havoc on access to sunlight and strains a long-neglected infrastructure.

This should not be interpreted as opposition to ALL development; development is inevitable, but planning must be guided by a long-term plan that considers growth and the supportive infrastructure needed for that growth. Indeed, long-term planning has been missing in action for many years. It's refreshing to see it recognized as a needed change and a part of this bill.

However, this cannot be at the expense of the blatantly anti-democratic processes that are part of this bill, like giving the mayor and city council authority to overrule community planning, as just one example. Communities must be encouraged to get involved and be part of the process, not given a token nod.

Prioritizing growth over preservation and quality of life does nothing for the city in the long run.

Consideration must be given to how development affects the surrounding neighborhood.

Development is always ongoing but it can't be given a wrecking ball to toss around at will.

Land is a premium in New York; demand outstrips supply by far. Developers' response has been to continue to build upward as if there's no engineering feat that can't be managed and sold at great profit, and no economy in which they can't thrive, with bailouts and deferred taxes while buildings remain empty and/or unstable. This is not how ordinary people in our city want to

live—in a cut-throat environment competing for sunlight and sidewalk space. A city that looks and feels like every other large city with super tall buildings won't remain a big tourist destination; it's the unique neighborhoods and local color that people yearn for, not a Disney version of the metropolis.

For this reason, it is irrational to target prime neighborhoods that are already overcrowded and overdeveloped, leaving permanent scars. Adding more luxury housing, with a few “affordable” units is an insult to citizens' intelligence. Why not place more housing in less dense neighborhoods?

This bill needs some major fixes before it should be allowed to pass. I urge you to vote against the bill as it stands.

Respectfully,

Lynne Glasner

27 West 96 St.

NYC

Written Testimony to Committee on Governmental Operations with Land Use Committee
for hearing on Intro 2186 held Tuesday, February 23, 2021

Maggie Clarke, Ph.D. Maggie@maggieclarke.com

I'm Maggie Clarke, Ph.D., writing on my own behalf, though am Founder of Inwood Preservation, Steering Committee member of Inwood Legal Action and of Northern Manhattan Not For Sale. I was adjunct professor in Environmental Sciences and Policy at four CUNY colleges and 3 Rutgers colleges.

One of the underpinnings of this Intro is that there is an assumption that increased population is not only desirable but necessary and assumed. All else in the bill arises from this flawed assumption. My decades of experience in the environmental field taught me that there are Limits To Growth as I studied with professors of this 1972 seminal work. Although it is true that sprawl causes tremendous environmental impacts, here in New York City, we have neighborhoods that are ultra-dense. When you say that we must keep building higher and higher without limit, without being able to expand the street grid, this results in increased gridlock. That MIH ensures that 75% or more of the new buildings are luxury because AMI's don't reflect the income of the community but include richer suburbs in the calculation, means that there will be many additional cars on the already overburdened street network. We need to unburden the street grid, not add to it. It has been shown that the modern luxury skyscrapers are energy hogs, making an outsized contribution to greenhouse gases. And yet every year more rent stabilized apartments become market rent reducing the number of affordable housing units. The City has been in contravention of the Clean Air Act and the Clean Water Act since the 1970s and increasing tailpipes and toilets by increasing population will cause us to increase pollution. But the assumption of needing more population will cause all New Yorkers to suffer with worse air quality, concentrated mostly in areas around major highways (usually low income) and the densest neighborhoods. Increasing density in already dense parts of the City will additionally cause delays in ambulance, fire and police response as well as delay bus transportation. None of this serves the citizens of New York.

Another issue is that environmental impact statements (EIS) for rezonings and other land use actions can (and often do) predict gridlock (Level F in the intersection grading system of A-F, where E is at capacity). The recent Inwood rezoning predicted most of the intersections will be F with a few at E. And yet due to member deference, the Council did not evaluate the environmental impacts on this low-income, immigrant community who fought the rezoning for several years. I was a co-author of the Uptown United Platform, the community's alternative zoning plan that was summarily ignored by the City Council. Here is a link to that document: https://docs.google.com/document/d/1rHtwX1QCptulFGrS-Y1wPiSxACL0KR6Dd6o_LvjpSJ8/edit?usp=sharing

That EIS's predicting terrible impacts do not receive the study and deference that they deserve is a serious problem that the Council needs to rectify. In the case of Inwood, the Council voted on the rezoning before they were even given the final EIS. That should never happen.

If the desired outcome is increased housing for low-income persons, there are better ways to do it than wholesale rezonings of neighborhoods and use of the MIH law which results in mostly luxury units which increases air pollution and greenhouse gases. We should not be seeking to increase the overall population of the City, but make it easier to keep low-rent apartments low-rent and provide incentives for contextual renovations to allow for low-rent apartments. I implore you do stop the increased density, preserve existing low-income units, and consider other ways to create units that are actually affordable.

The City Council must reject Speaker Johnson's comprehensive planning bill.

Roger Manning

Long time resident of District 3

co-founder Metro Area Governors Island Coalition
(M.A.G.I.C.)

Shame on all of you, another attempt to serve the interest of Big Real Estate rather than the public good. How dare you argue for more central planning power, skirting the issue of whether better plans might have been made in another way? The law is abhorrent. Don't you even try to put a new Robert Moses into power.

The purpose of the law is, to quote from it: "to prioritize population growth, where applicable, in areas that have high access to opportunity and low risk for displacement," code words among planners for overdeveloped neighborhoods in the historic core of the city — Manhattan south of 125th St., Downtown Brooklyn, Brownstone Brooklyn around Prospect Park and the East River. These are high-density, overdeveloped, often historic places with lots of subways, good schools, good parks, good grocery stores and short commutes to Midtown and the Financial District. Surprise, these areas are also places where Big Real Estate profits are highest and where most of the new development since 2010 has already been built. Why then is the planning law so laser-focused on driving growth to the already denser parts of the city, before the planning is even conducted?

Why does a new all-powerful Director get to assign housing targets based on this high-opportunity theory?

The law has planning exactly backwards.

We are supposed to use planning to figure out and debate where to put people (a.k.a. "density") and infrastructure, not to do end runs around communities and drive new density to predetermined areas of the city!

Here are nine things wrong with the proposed "comprehensive planning" law:

- 1.) It fails to address the elephant in the room: the revolving door between Big Real Estate and government, thus undermining the legitimacy of the process.
- 2.) The proposed law presupposes that the only way to deal with high housing prices is to obsessively build hyper-dense (and tall) near transit, which is what we have already been doing, based on a discredited trickle-down housing-supply theory. It's a planning approach arising from a bad theory.
- 3.) It presupposes that the only way to deal with displacement risk is to build like crazy when, in fact, displacement risk needs to be managed in the first instance through legislation. Universal rent stabilization and the Good Cause Eviction Act would largely solve most of the displacement problem. Incremental building of more public-social housing units at the low end of the market would deal with the rest.
- 4.) It imposes Soviet-style housing targets on "low risk for displacement" neighborhoods, without having had binding public policy discussion about the upper limits or lower bounds of density. What kind of city do we want and how should we spread the benefits and burdens of density? The law presupposes that density can be infinite.
- 5.) The legislation presumes the scientific legitimacy of a dubious "index of displacement risk" that gets coded into law.
- 6.) This law ignores key questions for public debate. For example, when are we too dense to have a livable city? When are we not dense enough? How should density be distributed? Should it be distributed more evenly, like peanut butter on a slice of bread, or all piled up in the historic core? And who should decide these questions, the Director or the citizens of the city? All this is simply ignored, even though these questions are the very heart of planning!
- 7.) At no point can neighborhoods, residents, taxpayers and citizens vote on any plans at any time. There is no voting, no referenda, no democracy. In other words, the proposed law is profoundly anti-democratic.
- 8.) Under the proposed law, the housing targets for each neighborhood rely on a bad theory that Big Real Estate loves: New population growth should be targeted to existing "high-opportunity" areas. That's an invitation for selective over development, leaving the historic parts of our city vulnerable to more demolition while ignoring the investment needs of currently "low opportunity" neighborhoods.

There is also this troubling fact: Residents of low-amenity neighborhoods have clearly said they don't want to move. They want their existing neighborhoods to have amenities every bit as good as the neighborhoods in the core. They just don't want to be gentrified out — or, rather, displaced.

- 9.) The law strengthens an already king-like mayor and recreates a too-powerful Robert Moses figure in the form of "The Director." Citizens would not be able to reject this person.

The mayor would appoint a Robert Moses-like figure called "The Director." 1984 anyone?

The law creates new committees to work with the Director, with trivial, advisory roles. Their role would be to give advice to the Director — who could ignore it.

The steering committee would also appoint five borough committees, which would provide borough-specific feedback at various points in the planning process. Their advice would also be just white noise. Community boards would do nothing different than what they do now.

- Mary Bullock

February 23, 2021

Testimony from the Municipal Art Society of New York to the City Council Committee on Governmental Operations on Int. 2186-2020

The Municipal Art Society of New York (MAS) has long supported equitable and comprehensive community-based planning as a tenet of sound land use policy. As a member of the Thriving Communities Coalition, we share the view that comprehensive planning can make our city work for all New Yorkers. A collaborative planning process can facilitate how we move from difference to debate, and ultimately consensus. As a city of 8.5 million people with varying needs, cultures, and underlying vulnerabilities, we must continually renegotiate goals, policies, and priorities to create a shared vision for the future. When we plan together, we can effectively allocate resources and empower communities with the knowledge and opportunity to make informed land use decisions about future growth.

Speaker Johnson's comprehensive planning framework outlined in Intro 2186 and the *Planning Together* report clearly reflects significant thought and effort. Many aspects of the proposal, such as adopting a citywide long-term plan, use of a Generic Environmental Impact Statement, and aligning land use decisions to budgetary considerations, are in line with our advocacy. However, as proposed, the framework leaves major land use decisions firmly in the hands of the Mayor's Office of Long Term Planning and Sustainability (OLTPS). MAS counters that a successful comprehensive plan for New York City must balance bottom-up and top-down planning through meaningful, ongoing community engagement strengthened by effective coordination and commitment from involved City agencies. As written, Intro 2186 would reinforce the current structural imbalance in the City's planning process.

Vision for an Effective Comprehensive Planning Framework

A comprehensive plan is a set of documents that frame targets throughout the city, from how and where we grow, to how we meet local community needs and enable those neighborhoods to thrive. A comprehensive plan allows communities and the City to coalesce around a shared vision while also creating space for healthy debate. An effective comprehensive plan addresses infrastructure, schools, open space, transit, historic preservation, resiliency, sustainability, as well as pervasive socioeconomic and racial disparities. Such a plan must consider issues at the community, county, city, and regional levels, and coordinate with the Capital Budget.

MAS agrees that the City's current planning process lacks transparency and does not adequately engage communities when shaping the future of their neighborhoods. Planning and land use decisions are disconnected from capital budgetary considerations, resources are not allocated equitably, and City agencies involved in land use decisions fail to coordinate sufficiently. Consequently, public engagement in the City Environmental Quality Review (CEQR) and the Uniform Land Use Review Procedure (ULURP) processes is largely ineffective because the community enters the conversation too late, as evidenced by the contention surrounding recent neighborhood rezonings.

Though the City Charter Revision Commissions of 2018 and 2019 were not successful in instituting major land use process reform, MAS still believes that true comprehensive planning is most effectively accomplished through changes to the City Charter. Without this, the current

power imbalances inherent in ULURP will remain, leaving input from Community Boards and Borough Presidents as purely advisory.

To the extent that this bill can bring real change, MAS believes it must be structured to advance meaningful, ongoing public engagement to improve the balance of power in the land use process. The bill must account for community input from the early stages of citywide goal setting and policy decision-making, to the actual implementation and mitigation procedures in the land use process. We urge the City Council to consider the following comments and recommendations to create a more coordinated and equitable planning framework.

Comments and Recommendations for Improving Intro 2186

Provide Adequate Resources and Representation to Communities

First, and most importantly, the bill leaves little room for communities to proactively shape the goals and policies that will affect their neighborhoods. For instance, early significant planning milestones, such as the Conditions of the City Report and Citywide Goals Statement, are developed and implemented by the OLTPS and the Long-Term Planning Steering Committee with only one public hearing mandated in each borough, respectively. It is not enough to mandate a single hearing for the purpose of securing legitimacy in the planning process; this will further solidify distrust among communities.

To better balance citywide goals and community needs, the bill must mandate a protracted program of community engagement meetings, in a variety of formats, in each Community District prior to determining major milestones. The bill must also meaningfully include and consider community-based plans and 197-a plans. To comply, the Civic Engagement Commission should be responsible for developing consultation plans for each neighborhood to ensure language access, reach, and accessibility. These plans should be subject to an approval vote by the Community Board. This would increase the Commission's reach and better include communities in government and decision-making.

In addition, Community Boards and Borough President offices must have access to equitable and sustained resources, such as ongoing funding and land use planning staff, to better prepare for community engagement and development of potential land use scenarios. Furthermore, this bill must account for other community engagement mechanisms beyond the standard public hearing format, such as interactive community mapping tools. Digital tools can be impactful in bringing planning processes to scale and increasing access to data. Yet these tools, on their own, are restrained in their ability to reach individuals with limited web access and English language proficiency. For these reasons, community organizations must also be resourced to bring in local experts and facilitators.

Lastly, the bill fails to ensure that the Borough Steering Committees actually reflect the communities they will represent. As written, the Long-Term Planning Steering Committee, a body appointed by elected officials, selects an unspecified number of members for these Committees. Instead, we recommend that each Community Board in the borough elect a member to the Borough Steering Committee (representation on Community Boards is addressed in a later section). This would provide community members with a say in the planning process rather than concentrate decision-making at the Mayoral level.

Create Balanced Growth Priorities Citywide

If approved, Intro 2186 would “prioritize population growth, where applicable, in areas that have high access to opportunity and low risk for displacement.” MAS agrees that the city needs to grow equitably, with each neighborhood responsible for absorbing their fair share of new New Yorkers. However, that will not be possible unless all of the parties—from communities to the City Council—feel empowered by the process of engagement and as though they own both the citywide goals and how they are met. This is in part about the process before and after adoption. If the comprehensive plan is truly the result of respectful compromise between community priorities and citywide needs, then it should be adhered to as the rule and not the exception. Currently, the proposal does not place sufficient emphasis on the ways that specific development projects that work within the plan will be incentivized, and more importantly, how those that do not will be discouraged.

Define Agency Involvement to Improve Coordination and Commitment

MAS is encouraged by the effort to increase agency and stakeholder coordination in the planning process, such as consolidating reporting and creating shared data. However, it is imperative that the bill recognize the lack of trust that is currently infused in the city planning process and seek to systemically correct for it. To do so, we believe this proposal must be strengthened to further improve agency commitment and coordination.

Most importantly, given its critical role in planning and zoning, we are apprehensive about how the Department of City Planning (DCP) and the City Planning Commission (CPC) fit into this framework. The roles and responsibilities of DCP, CPC, the Landmarks Preservation Commission, the Economic Development Corporation, and other agencies must be clearly defined in the bill going forward. For example, the bill should utilize and build upon existing links between local agencies, Community Boards, and neighborhood organizations. Without defined agency roles, dialogue, and joint support, the planning process will continue to be poorly coordinated and communities will continue to be disenfranchised in the land use process.

Develop New Tools for Broad Knowledge and Transparency

To ensure that everyone participating in the development of a comprehensive plan have access to key information, new tools and databases should be developed. As the bill is currently drafted, the Conditions of the City Report omits key citywide assessments that are essential to truly comprehensive and coordinated planning. In addition to the analysis of overall changes in demographic data already required in the Conditions of the City Report, it must include a needs assessment of all Community Boards to improve future decision making. This assessment should study current Community Board demographics and representation, funding, and a resource and staffing inventory assessment. Additionally, current system-wide infrastructure plans, like the freight master plan or comprehensive waterfront plan, should include inter-agency coordination and decision-making. The bill must also expand current citywide assessments and commit to updating the City’s historic resources inventory, strengthen the link between climate resiliency planning and environmental justice, and promote fair housing and long-term NYCHA improvements. The bill should also clarify how a coordinated planning process will connect with CEQR reform and a Racial Impact Statement.

The bill should also provide a mechanism to translate goals and policies to an interactive map that can function alongside the Zoning Map and Zoning Resolution. Other cities, such as Seattle and Austin, have Future Land Use Maps (FLUMs) which identify areas that would be subject to change according to adopted growth strategies. A FLUM allows applicants and City officials to evaluate how an individual land use application aligns with the comprehensive plan. If a land use application does not align, the comprehensive plan must be changed. The bill currently requires all projects to be evaluated for alignment, but projects that do not align could still be voted through. A FLUM would provide more thorough evaluation of projects that are inconsistent with the adopted plan.

Strengthen Legislative Outreach

This bill will have a significant impact on land use planning in New York City, and is extremely complex. Therefore, MAS urges the Speaker's office to strengthen its outreach efforts and clarify proposed processes. City Council members and their staff must proactively reach out to local organizations, Community Boards, elected officials, and City agencies to gain and implement feedback as much as possible.

We also encourage City Council to prioritize components of the legislation that could be forwarded independently or as a smaller package of bills. These could include increasing the depth and frequency of existing agency reports, requiring additional agencies to conduct in-depth reports, and aligning these reports to reduce staff and study time.

Conclusion

Given the vast scope of crises we face today—racial and social injustice, the COVID-19 pandemic, budgetary shortfalls, and the existential threat of climate change—the time is ripe for a fundamental shift in how New York City plans for its future. With the upcoming election, it is imperative that we engage in a proactive conversation about how these challenges can be addressed in the context of a long-term vision for New York City.

While MAS believes that true community power in the City's land use decision-making process would be best achieved through revision to the City Charter, we are encouraged by the concept of a comprehensive planning framework. We do not think New York is so unwieldy and vast that comprehensive planning efforts are doomed to fail. However, the proposed bill must give communities more authority in the City's land use process. MAS will continue to outline specific recommendations as this process unfolds and looks forward to working with the City Council toward a more equitable future.

This bill (Int. 2186-2020) will destroy the last bit of democracy left in the planning process. It will mean that rezonings are fast-tracked through the ULURP process and bypass the city council. The only little bit of democracy left in the planning system was pressuring the district's city council member. This bill will shove rezonings through for EVERY neighborhood - without any democratic input. It is a desperate, authoritarian attempt by the real estate industry to secure dictatorial control over New York City's development.

Max Clement Scott

Re: Master Development Plan (Bill 2186)

First, I must object to this meeting because it is NOT A SUFFICIENTLY PUBLIC MEETING due to its remote nature and because COVID restrictions do not allow the public to be in attendance, knowing which other parties are also in attendance. There should be no action taken further on this proposal until TRUE PUBLIC MEETINGS are allowed.

As a lifelong NYC resident citizen, I oppose the Master Development Plan (Bill 2186). I believe it is undemocratic and will ultimately harm the City, not help it control its development. Consider the current glut of luxury apartments, and commercial offices abandoned because of COVID19 now and future reshaping of commercial real estate, makes this project even less necessary as a means of increasing affordable housing. I do not believe that increasing luxury housing towers is the right way to avail our population of housing stock. I am against rezoning for height, particularly when historic buildings are threatened by damage or demolition.

Thank you for your attention.
Sincerely,

Michael Kramer

My name is Miranda Sielaff, and I am writing to urge the City Council to vote no on Intro 2186, Speaker Corey Johnson's bill Planning Together.

I have been a resident of District 39 in Brooklyn since 2006. Because I am lucky to live in a rent-stabilized apartment I have been able to build my career as a musician in New York City while many of my colleagues have left because they can't afford the rent. I have treasured the small businesses and public characters that make this neighborhood home, but many have been forced out with the rise of rents and speculation around the proposed rezoning of Gowanus. I have rehearsed and performed in many affordable studios and venues in this neighborhood that have become hubs for diverse musical communities. To me, that's what makes New York a living city, with art and culture that is accessible and inviting and constantly evolving.

Intro 2186 is a top-down planning scheme that discourages community input, and it is a major threat to this city. It would further entrench the interests of big real estate at the expense of community members who already struggle to have a voice in the ULURP process. It decreases community participation, by not including the people who will be the most heavily impacted.

A master plan for my neighborhood would also be detrimental because of the historic pollution in and along the Gowanus Canal. The Superfunded dredging of the Canal just started in November 2020 and that cleanup will go on for years. Several toxic sites including former manufactured gas plants are situated along the Canal and developers see these as attractive waterfront properties in spite of the of deep levels of pollution in the soil. If community concerns are ignored there is potential to gloss over real threats to human health and the environment during and after development of these sites. For example, the partial remediation of the Public Place site this summer resulted in chemical odors spread across the neighborhood for weeks before we finally were able to reach the DEC through the Gowanus Community Advisory Group to the EPA. Our calls to 311 yielded no results and complaints were shut down by DEP with no investigation. Letters to City Council Member Brad Lander were ignored. Having to keep our windows closed for weeks was a small nuisance compared to what might happen if housing is built on that site without adequate remediation and oversight, but it really woke up the residents of this neighborhood. **Community members need a voice in the process of development because we live here and are familiar with the issues of this place. We can help to determine what's best for current and future residents and for this unique environment.**

I urge the City Council to vote no on Intro 2186.

**Paul Epstein's Oral Testimony on Comprehensive Planning Bill Int. 2186, for NY City Council
Government Operations, Land Use, & Capital Budget Virtual Hearing of Feb. 23, 2021**

Note to Council Members & Staff: I am recovering from Covid-19 so I am not sure I will have the stamina to wait for my turn to testify, but I will try. In case I don't, this is what I intend to say in the hearing in my allotted time. I also intend to elaborate on this brief testimony with more extensive written testimony by the end of the week. Thank you. Paul Epstein.

Intended oral testimony at the hearing:

I am Paul Epstein, co-chair of Inwood Legal Action and a member of the Thriving Communities Coalition. My recovery from Covid-19 has kept me disconnected lately, so I am representing myself.

As a manager in two past mayor's offices I really like that this bill would create order out of current planning and reporting chaos. But as an activist, researcher, and author in community engagement, I find the bill's top-down planning puts communities last. **So this bill is a technocrat's dream but a community's nightmare.**

Thus, I oppose this bill as written. But I think it can be fixed to be community empowering. Not with tweaks, but with fundamental changes. I will provide details in written testimony, but here's a sample that follows four principles:

- **First, no community can opt out of its share of equity-based policy goals**, though requested target revisions should be considered.
- **Second, each community should propose its own land use scenario to meet its targets**, which, if found reasonable, must be accepted. Only unrealistic plans should be modified by OLTPS and the Steering Committee. The current bill's dictation of three scenario choices by OLTPS will be seen by many communities as being asked to choose between arsenic, strychnine, and cyanide.
- **Third, community engagement must go beyond "public hearings" and deeper than community boards.** Engagement at key times, especially when developing scenarios, must be deliberative, with people with different interests engaging each other and discussing trade-offs before community boards decide. Engagement must also be representative of the district population.
- **Fourth, communities must be provided independent professional assistance in planning and engagement** to help them develop realistic scenarios to meet targets, and to help them with outreach and facilitation to achieve representative, deliberative engagement.

Following these principles puts communities first while still enabling equity-based goals to be achieved.

Paul Epstein's Written Testimony on Comprehensive Planning Bill Int. 2186-2020

I am Paul Epstein, co-chair of Inwood Legal Action and a member of the Thriving Communities Coalition. At the February 23, 2021 hearing on Int. 2168, I provided oral testimony noting that I oppose the bill as written, but I offered ideas to fix the bill. Those ideas follow four principles to fundamentally change Int. 2186 to make it community empowering while still accomplishing important equity-based policy goals. I have since contributed to group comments by leaders of Inwood Legal Action (ILA) that include and go beyond these four principles. An ILA colleague is submitting our group comments separately. I fully support our group comments. Here I am submitting additional testimony, focused on the four principles in my oral testimony, in order to provide Council Members and staff more details to help them actually integrate these ideas into an amended or revised version of Int. 2186 in ways that will be workable in practice. At the end of this testimony, I provide some information about me and my relevant qualifications.

Need for a Bottom-up Process to Plan for Equitably Achieving Citywide Policy Goals

The current land use process is top-down, with communities having little influence in reacting to private and City applications. Int. 2186 may give communities some say in planning their futures, but the nature and timing of engagement still makes it a top-down process, with communities reacting to targets and alternative draft land-use scenarios proposed for their district. To empower communities to truly plan their futures within an equitable citywide policy framework, the planning must be flipped to be bottom-up, within these four guiding principles:

- **First, no community can opt out of its share of equity-based policy goals**, though more consultation on goal setting is needed and requested target revisions should be considered.
- **Second, each community should propose its own land use scenario to meet its targets**, which, if found to be a reasonable way to achieve the targets, must be accepted. Only unrealistic plans should be modified by OLTPS, the Steering Committee, or City Council.
- **Third, community engagement must go beyond “public hearings” and deeper than community boards.** Engagement at key times, especially when developing scenarios, must be deliberative, with people with different interests engaging each other and discussing trade-offs before community boards decide. Engagement must also be representative of the district population.
- **Fourth, communities must be provided independent professional assistance in planning and engagement** to help them develop realistic scenarios to meet targets, and to help them with outreach and facilitation to achieve representative, deliberative engagement.

Here's more on each of the four principles above, including ways they can be put into practice in a comprehensive planning process:

First, no community can opt out of its share of equity-based policy goals, though more consultation on goal setting is needed and requested target revisions should be considered. Most recommendations in this testimony would create much more of a “bottom up” planning process.

However, if important citywide equity-based policy goals are to be achieved, each community must do its fair share and no community can be in a position to opt out. So some “top down” direction is still needed, which ultimately would be in setting citywide goals and district targets. Also, it is laudable that the goals are to be informed by data in the Conditions of the City Report which in turn is informed by Community Board Needs Statements and measurable data on conditions from City agencies. However, that leaves goal setting a largely technocratic process with only a single public meeting in each borough to inform the final goals. The process of setting district targets appears just as technocratic. Much more robust community participation is needed so people do not feel the game is rigged against them from the start. Part of this is educational (help people understand the basis for the goals), and part to establish ground rules and engagement expectations for the entire planning process. It will especially be important to give people an opportunity to influence citywide goals by bringing their lived experiences into the discussion to complement the quantitative measures, and to add to the discussion important factors of social, economic, and cultural networks in our communities, which are just as crucial in determining resiliency as physical infrastructure. Communities should also have opportunities to influence district targets by questioning draft targets for their district and requesting revisions. Reasonable revisions that do not inordinately endanger the ability to meet citywide equity-based policy goals should be granted.

Second, each community should propose its own land use scenario to meet its targets, which, if found to be a reasonable way to achieve the targets, must be accepted. Only unrealistic plans should be modified by OLTPS, the Steering Committee, or City Council. In the Feb. 23, 2021 public hearing on Int. 2186, Speaker Johnson insisted several times that the bill does not require community boards to choose from one of three potential land use scenarios developed by OLTPS for their district and presented in the Draft Long-Term Plan. If that’s the case, it should be explicitly spelled out in the bill. The current bill language gives a strong impression that the preferred community district scenario must be one of those three. But if community preferences are NOT limited in that way, what’s the purpose of those three potential scenarios developed by OLTPS? It would seem that OLTPS would be sending a strong signal to community boards: “If you don’t want the scenario you develop to be shot down, pick one of these three, or something close.” That’s showing a huge lack of trust in communities to be able to plan their own destinies in ways that further equity-based citywide goals. The development of three potential scenarios for each district by OLTPS should be dropped from the process. Instead, communities should be empowered to work from the bottom up to develop their own land use scenarios intended to meet their district targets. And the community-based planning process in each district should not wait until the Draft Long-Term Plan is complete. Instead, community boards, with assistance described below, should start their participatory planning processes as soon as their district targets are approved, even in draft form. They might start their outreach even earlier, so by the time they’re ready to go, community engagement will be more representative of their district. The main objective for each community board is to develop a plan that can reasonably be expected to meet the district targets in ways community members want to see their neighborhoods develop. Some broad guidelines may be provided. For example, for

geographically large districts, a guideline might be not to put all increased density or public facilities on the border of neighboring districts, so most of the burden is actually felt by neighboring communities. But, in general, community planning at the district level should be left up to community participants in representative, deliberative processes and with the support of professional assistance described below.

That still leaves the possibility that some community boards may develop land use scenarios that cannot realistically meet district targets. So a step is needed where proposed community scenarios are judged for “reasonableness.” This could be done by OLTPS, or the Steering Committee with assistance from OLTPS and possibly DCP or HPD. However, DCP’s track record in rejecting reasonable community-developed plans, such as that developed for Bushwick, may mean they would not be trusted players. So, despite their professional role in zoning, it is probably best to leave DCP out of this step. If a community-developed scenario is judged to be “reasonable” in its expectations for meeting district targets it should be included in the long-term plan. If it is found to be unrealistic, then it would be sent back to community boards with guidance on how to modify the scenarios by a given deadline. Only if they do not come back with a reasonable scenario by the deadline would a scenario be developed for the district by OLTPS, the Steering Committee, or City Council.

Keep in mind that, as found in past reports by, for example, the [Municipal Arts Society](#), the City’s projections of expected development that arises from rezonings can widely miss the mark. So, judgments of “reasonableness” should not be based on nit-picking differences in projections, as appeared to happen in Bushwick. But if a realistic range of projections from a community-developed scenario will include meeting district targets, the scenario should be accepted as proposed.

The timing of community-developed district land use scenarios may either mean that the Draft Long-Term Plan be pushed back until the district scenarios are completed, or that the district scenarios are left out of the initially published Draft Long-Term Plan. In the latter case, it may be useful to add an “Updated Draft Long-Term Plan” to the planning timeline which would include the district scenarios.

Third, community engagement must go beyond “public hearings” and deeper than community boards, and be both representative and deliberative. A public hearing, whether at the levels of community boards, boroughs, or citywide, is one of the worst forms of community participation. We’ve all been there. First, “experts” get to make presentations, often administration officials, possibly architects or consultants to developers. Then the experts are questioned by presiding officials be they City Council Members, for example, or community board members. Hours often go by before members of the public finally get to testify for two or three minutes each. By then, they’re lucky if any presiding officials are still there to listen. Regardless, no actual “engagement” of community members has taken place. No community members outside of presiding officials get an opportunity to raise questions and “deliberate” with others. It’s all one-way communication. Public hearings have their place and may sometimes be legally required. But engagement at key times

throughout the process must be **deliberative**, such as when community boards determine revisions to be requested in district targets, and especially when developing land use scenarios.

“Deliberative” engagement means people—especially people with different interests—get to talk with each other, question each other, learn each other’s interests and perspectives, and begin to understand planning issues from each other’s points of view. Planning inevitably involves trade-offs. Part of deliberation includes people discussing different possible trade-offs and learning how possible trade-offs affect different interests. Some people may change their positions based on deliberation and some groups may reach consensus on some issues. But full consensus is not the goal. Instead the goal is to promote learning among community members, and for presiding officials such as community board members to observe the process and review documentation of results of different deliberations before making decisions such as what land use scenario to propose. Of course, in community-based land use planning, people will likely be working with maps and perhaps movable pieces on a table or wall, especially when discussing possible trade-offs. But the process in doing so should be deliberative, as described above.

Community engagement must also be **representative** of the district population and other district interests, such as local business owners. Without broad representativeness, key interests are likely to be missed in community discussions and the deliberative process will be deficient. Achieving representativeness involves broad, persistent outreach in each district. And to help assure representative engagement is achieved and is effective, communities must be provided translation and interpretation services so people can participate in the language they’re most comfortable with, assistance securing free locations accessible by the disabled, food and beverages, and onsite childcare during any public gathering to develop a planning process and a plan.

Fourth, communities must be provided independent professional assistance in planning and engagement to help them develop realistic scenarios to meet targets, and to help them with outreach and facilitation to achieve representative, deliberative engagement. There are plenty of professionals in both the technical aspects of planning and in the facilitative aspects of community engagement in New York with experience helping communities through planning processes. They often work in academic or civic organizations such as Pratt, Hunter, CCNY, and the Municipal Arts Society, to name just a few. They can be tapped to form a team of independent technical assistance providers assigned to work directly for community boards, not city agencies, although a city agency would likely pay them. The team could be recruited and organized by the Civic Engagement Commission (CEC). The CEC should also be mandated, at the start of the process, to document suggested “best practices” in representative, deliberative community-based planning, including suggestions for which practices may work best at different stages of the comprehensive planning process. The effort to document best practices can come from a combination of research into community planning and engagement in other cities (e.g., processes used by Seattle’s Office of Neighborhood Planning) as well as the expertise of the early members of the team of community-based planning practitioners organized for the comprehensive planning process. Allocation of

independent professional assistance need not be an equal amount of professional time to each district. Instead, communities that have fewer volunteer professional resources and that have historically had a harder time participating in land use should probably get more professional assistance. But all community boards should receive some professional assistance, especially to assure strong outreach is done to achieve representativeness, and to assure their community-based planning processes are deliberative.

Relevant Experience and Qualifications of Paul Epstein: In seven years as a manager in two New York Mayor's Offices (Lindsay and Koch) I worked on some of the reports that evolved into the current morass of the City's planning framework. So I appreciate that Int. 2186 would create order out of the current planning and reporting chaos. I also appreciate the difficulty of connecting planning and budgeting that Int. 2186 tries to do. In the Koch years, one of my most difficult and successful projects was integrating planning for productivity improvement with the budget process, which ultimately produced over a billion dollars in annual productivity savings and revenue. Then I spent over 30 years as a consultant to governments, the United Nations, nonprofits, and community collaborations across the U.S. and around the world. In the late 1990s and early 2000s I co-led research originally funded by the Alfred P. Sloan Foundation on connecting community engagement with local government measurement and decision making which led to the "[Effective Community Governance](#)" (ECG) model at the heart of the book [Results That Matter](#) (Jossey-Bass/Wiley 2006; I am the lead author) and I consulted with communities in the U.S. and abroad on implementing principles from that research. We were not just interested in effective community engagement, but how to connect it with local government measurement, operations, planning, and policy to produce results that matter most to community members. Those principles strongly guided my recommendations above, not just to improve engagement in the planning process, but to do so in a way that will provide the result of an equity-based comprehensive plan that the city needs and communities trust. Finally, for the last six years I have been a community activist in my Inwood neighborhood, and also a collaborator on citywide coalitions such as the Thriving Communities Coalition and the Racial Impact Study Coalition. That most recent experience has given me the perspective of a stakeholder and volunteer struggling to get my community listened to and respected when engaged in complex issues such as land use, zoning, and environmental review. My recommendations above draw upon my research and my varied experience as a government manager, as a consultant, and as a community activist.

Testimony on Int. 2186-2020 “Requiring A Comprehensive Long-Term Plan” Inwood Legal Action

On December 17, 2020, New York City Council Speaker Corey Johnson introduced [legislation](#), Int. 2186-2020, “Requiring A Comprehensive Long-Term Plan.” The purpose of the bill, according to Speaker Johnson, is to address the failures in New York City’s current planning regime. The intention to introduce comprehensive planning in New York City is laudable and long overdue; however, the devil is in the details.

Proposed legislation as consequential as this, which will shape the future of our city, our neighborhoods, and our very lives, should be taken seriously and be afforded ample time for public debate, as recommended by the American Planning Association.

Planners hold a creed that commits them to work in the public interest, which is defined not solely by the planners, but by the public, through continuous and open debate. The ability for the broader public to shape a public vision tied to publicly elaborated principles and goals is the foundational prerequisite to planning in the public interest. Any comprehensive planning proposal that the Council adopts should express this public interest and serve as the framework to achieve the vision established by the public in a public process prior to bill drafting.

This premium placed on planning in the public interest is made clear in the profession’s ideals articulated by the [American Institute of Certified Planners’ Code of Ethics](#), in no small measure to respond to the [critiques of the profession in the 1960s and the devastating failures of urban renewal](#):

- We shall provide timely, adequate, clear, and accurate information on planning issues to all affected persons and to governmental decision makers.
- We shall give people the opportunity to have a meaningful impact on the development of plans and programs that may affect them. Participation should be broad enough to include those who lack formal organization or influence.
- We shall seek social justice by working to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of the disadvantaged and to promote racial and economic integration. We shall urge the alteration of policies, institutions, and decisions that oppose such needs.

The introduction of this comprehensive planning bill unfortunately precludes real public input in the bill-drafting process. The extensive public input that the planning profession recommends prior to drafting a bill of this magnitude was bypassed. A similar comprehensive planning proposal was advanced as part of the 2019 Charter revision

process, but public participation in that process was inadequate, and the Speaker should have engaged a second process to solicit public input and review.

At the very least, during 2020 and prior to introducing Int. 2186-2020, the Speaker should have held heavily publicized online hearings to seek community input, making a special effort to recruit residents of New York City Housing Authority-owned buildings targeted for Rental Assistance Demonstration conversion, and residents of neighborhoods that recently fought or were currently fighting a rezoning or unwanted development. Instead, the Speaker missed an opportunity to promote a spirit of trust and a sense of community empowerment in this process. As a result, this bill fails to establish comprehensive planning and lacks broad public support.

Accompanying Int. 2186-2020 is the report [*Planning Together*](#), a title signifying a soaring vision of community-focused planning. Yet, the vision in this report and in the proposed legislation falls woefully short of the planning profession's aspiration that people have the opportunity to have a meaningful impact on the development of plans and programs that may affect them. The proposed legislation also runs counter to the planning profession's guiding principle that participation be broad enough to include those who lack formal organization or influence. Such participation is vital to the development and success of a plan that will set policy and funding priorities long into the future.

Below, we recommend changes that we believe will help to create a more accountable, publicly driven process to develop a revised proposal, and ultimately, a more bottom-up vision of comprehensive planning.

Facilitate the Development of A Proposed Participatory Planning Process by Relevant City Agencies, Community Boards, Advocacy Organizations, and the Diverse Public To Inform Revisions to Int. 2186-2020

The report *Planning Together* uses the phrase “participatory planning” three times, in connection to comprehensive planning and milestones. The report describes this as an “ongoing participatory planning process that [would] provide opportunities for New Yorkers to help decide where and how the City will distribute that critical infrastructure in their neighborhoods” over a ten-year period. This participatory planning process would “engage the public at all stages” and would “promote leadership and participation among communities and people historically underrepresented in or explicitly excluded from planning and land use decisions.” Reading the full report, however, could lead to a conclusion that holding public charrettes in every borough is intended to suffice as participatory planning.

Still, *Planning Together* presents more access points for public participation than does the actual bill. For example, it proposes public charrettes in every borough for three reporting phases: the Condition of the City, the preliminary Citywide Goals Statement, and the final Citywide Goals Statement. It also proposes at least one public meeting in every borough to inform the Draft Long-Term Plan, and an additional public comment period for Draft Long-Term Plan.

By contrast, Int. 2186-2020 proposes at least one meeting in each borough for the development of goals for the Citywide Goals Statement and at least one public hearing in every borough to comment on the preliminary Citywide Goals Statement. There is one public “meeting” in each community district for “input” on the Draft Long-Term Plan. Also at least one public meeting per borough for “feedback on existing conditions and areas of inquiry” at least 6 months prior to release of the Conditions of the City Report. Tellingly, the phrase “participatory planning” is not used at all in Int. 2186-2020.

Nor does Int. 2186-2020 make mention of actually engaging in a planning process. There are municipal agencies that are responsible for and have expertise in planning and that even conduct participatory planning processes already, such as the New York City Department of Housing Preservation and Development. Yet, this bill does not draw on these existing public resources by directing these entities to facilitate the development of a participatory, public planning process with the public. Finally, Int. 2186-2020 does not require any meaningful engagement with the public through the hearings it proposes; it only specifies that public comments be considered. Consideration of public comments is subject to ultimate override by the Director of the Office of Long-Term Planning and Sustainability. That is not participatory planning, and most certainly is not aligned with the planning profession’s vision of planning.

To Break Down Structural Inequality, Value and Apply Local Knowledge, and Center the Voices, Ideas, and Experiences of People of Color and Working Class People in Collaborative Planning

Int. 2186-2020 proposes an extremely bureaucratic design, with decisions made via committees of individuals, all of whom are appointed, not elected. Moreover, the decisions are made purely on quantitative measures, metrics that are outlined in local law. What about a sense of place, a sense of community, or neighborhood vision? As flawed as these ideas are, they introduce a qualitative understanding of urban life that is cherished and implicitly understood by neighborhood residents. The word neighborhood is mentioned once in the bill, yet people identify with smaller geographies than

Community Districts. Finally, this legislation does not effectively integrate or acknowledge the planning that has happened on a neighborhood level.

Moreover, the quantitatively-driven planning ethos runs counter to what we know about sustaining and supporting local resiliency. New York City neighborhoods and communities are not solely defined by quantitative indicators as Int. 2186-2020 would have us believe. While quantitative metrics are crucially important in making decisions about policy, they miss the crucial social, economic and cultural infrastructure and networks in our communities, which are critical in times of stress or crisis (Hurricane Sandy or the COVID19 Pandemic) in determining whether a community is resilient or not, and in shaping a community's recovery.

The Conditions of the City Report will drive the process, particularly as the process laid out in Int. 2186-2020 relies on quantitative data. Yet, people at the neighborhood level have no role in creating the Conditions of the City Report, even though they are in the best position to describe conditions in their neighborhoods. The development of the Conditions of the City Report should begin at the neighborhood level, and should include qualitative data and information as well.

Although *Planning Together* envisions comprehensive planning as a strategy to support equitable and inclusive growth, these characteristics create a planning process that diminishes the preferences, vision, and hopes of people of color and working class people for their homes and communities. New York City communities bring crucial, localized knowledge to the planning process, which has in many cases historically proven to be more accurate than "expert"-driven analyses in predicting future outcomes. Participatory planning must start by centering New Yorkers who have been disadvantaged by historical inequities, people of color and working class people, and must occur in their neighborhoods and communities.

To Develop A Shared Vision That Prioritizes Both Citywide Needs and Neighborhood Specific Ones, Support A Bottom-Up Planning Process That Prioritizes Equality

People must be able to shape the planning process and the plan itself. If the decisions that matter are made by appointed committees and Community Boards, the process empowers politically connected individuals to shape the future of the city, which we believe has the potential to reinforce inequality. An example of this is the ability of selected communities to opt-out of their share of equity-based policy goals, such as the long fight of people on the East Side of Manhattan to reject the 91st Street waste transfer station, which ended with a scaled down operation being put in place. Toward

equality in any comprehensive planning process, we ask that you build the following components into a revision of Int. 2186-2020.

First, no community should be permitted to opt out of its share of any equity-based policy goals, though more consultation on goal setting is needed and any requested target revisions from communities should be considered in a process established in the bill.

Second, each community should propose its own land use scenario to meet its targets, which, if found to be a reasonable way to achieve the targets, must be accepted. Only unrealistic plans should be modified by the Office of Long-Term Planning and Sustainability, the Steering Committee, or the Council.

As currently drafted, Int. 2186-2020 only involves communities in scenario development late in the process, after three potential scenarios are already provided to them in the draft long-term plan. That gives the impression that community influence even here will just be at the margins. That must change, with earlier and stronger community influence in developing scenarios.

In the February 23, 2021 hearing on Int. 2186-2020, Speaker Johnson insisted several times that the bill does not require community boards to choose from one of three potential land use scenarios developed by the Office of Long-Term Planning and Sustainability. If that's the case, this fact should be made clear and be explicitly spelled out in the bill. The current bill language gives a strong impression that the preferred community district scenario must be one of those three. As written, the bill shows a lack of trust in communities, shedding doubt on whether they will be able to plan their own destinies.

The development of three potential scenarios for each district by the Office of Long-Term Planning and Sustainability should be dropped from the process. Instead, communities should be empowered to work from the bottom up to develop their own land use scenarios intended to meet their district targets. A community-based planning process should not wait until the Draft Long-Term Plan is complete.

The manner in which the bill is written creates an obtuse, difficult-to-decipher piece of legislation. The use of brackets and underlining to amend an existing law is tough to follow even for people experienced in reading legislation. A far clearer way is to simply repeal the affected portions of the Charter and substitute a new, cleanly written law that can be more readily understood. The fact that the Speaker had to go to such lengths to dispel what he called myths about the bill shows how difficult it is to read and understand.

One way to develop a community-based land use scenario is to integrate the 197-a process into any comprehensive planning process that is adopted. The Citywide Goals Statement and the Long-Term Plan should prioritize and reflect each community's expression of its aspirations, as developed in a 197-a plan.

Third, community participation must go beyond “public hearings” and deeper than Community Boards. Participation at key times, especially when developing scenarios, must be deliberative, with people with different interests engaging each other and discussing trade-offs before community boards decide. Participation must also be representative of the district population.

Fourth, communities must be provided independent professional assistance in planning and engagement to help them develop realistic scenarios to meet targets, and to help them with outreach and facilitation to achieve representative, deliberative engagement.

Fifth, communities must be provided translation and interpretation services, assistance securing free locations accessible by the disabled, food and beverages, and onsite childcare during any public gathering to develop a planning process and a plan.

Sixth, the development of a comprehensive planning process must be accomplished with a spirit of trust and empowerment.

Today, communities of all shapes, sizes, and economic and demographic compositions deeply distrust the current city land use process. They see all city actors as complicit, whether they're from planning agencies such as the Department of City Planning or EDC, or decision making bodies such as CPC and the Council. For example, they hear Council Members decry the recent emphasis on upzoning low income communities of color. Yet, they know those same Council Members voted for those actions. The process in the current version of Int. 2186 does not come close to building trust with community stakeholders and has little chance of creating a feeling of empowerment.

Establish A Process That Allows The Public To Raise Questions And Objections About The GEIS And Enables The Public To Seek Judicial Relief

Under New York State law, the scope of judicial review of an Environmental Impact Statement (EIS), including a Generic EIS, is extremely limited. Equally limited is the scope of judicial review of an agency's determination that a particular project is in conformance with the conditions and thresholds established by a Generic EIS. Adoption of a Generic EIS for a plan that is as broad and deep as the plan contemplated in Int.

2186-2020, encompassing all development in the entire City, will effectively eliminate the ability of residents, business owners, or other affected stakeholders to obtain relief in court for any particular project.

While Generic Environmental Impact Statements have been used in New York City and across New York State,¹ we are not aware of any Generic EIS as all-encompassing as what is contemplated by Int. 2186-2020. The scope of a citywide Generic EIS for land use and development will be unprecedented. Even much narrower Generic Environmental Impact Statements are huge. As an example, the Generic EIS for Hudson Yards, a mere 300 acres, ran to over 8,000 pages. Yet, Int. 2186-2020 does not contain any provisions for how a Generic EIS will be prepared or authorize funding for such an endeavor. Significantly, absent clear directives for how a Generic EIS will be prepared and sufficient funding to assure that it is done right, it is highly likely that important input from neighborhoods across New York City will be short-changed, either by not being obtained in the first place, or by being effectively ignored.

We live in an era of instability in New York City – in population, in public health, in climate impacts, in municipal finance, and more. We question whether creation of a Generic EIS, which would “lock in” environmental review for 10-years of citywide planning, is at all appropriate. Flexibility and responsiveness to changing conditions in the environmental review process will certainly be lost at a time when flexibility and responsiveness are needed.

Because of the far-reaching impacts of the use of a Generic EIS and the importance of how a Generic EIS would be developed, this bill should not move forward until there has been full, bottom-up public input on and due consideration of this key piece of the legislation.

Beyond Planning: Tracking, Reporting, and Evaluation to Improve Plan Implementation and Development of Future Plans

Int. 2186-2020 gives no consideration to flaws and failures and unwanted or unintended outcomes in the planning process it elaborates. Robust tracking, reporting, and evaluation or auditing are needed to learn what is working as planned and what is not, to improve implementation of the existing plan and learn how to do better comprehensive planning in the future. Here are two recommendations along those lines:

¹ In fact, “The use of a generic environmental impact statement is “especially appropriate when a municipality changes its land use plans, development plans or zoning regulations” (Gerrard, Ruzow and Weinberg, *Environmental Impact Review in New York* § 4.14; see, *Matter of Horn v International Bus. Machs. Corp.*, 110 AD2d 87, 92, *lv denied* 67 NY2d 602). “ *Danyla v. Town Board*, 259 A.D.2d 850.

- Require the Mayor’s Management Report, or another well-publicized online reporting system, to provide publicly accessible monthly or quarterly updates on actual development and investments once a comprehensive plan is approved or revised, with sufficient detail that elected officials and the public can understand the degree to which the comprehensive plan is being put into practice.
- Mandate periodic evaluation or audit of the comprehensive planning process and results by an independent entity outside the Mayor’s and Council’s control. For example, this work could be performed by the City Comptroller, the Public Advocate, or by an external independent evaluator engaged for this purpose. The audit or evaluation could include determining how closely the development scenarios in the adopted plan adhere to community proposals, how well the adopted plans promote equity outcomes and stated goals of the legislation, the extent to which actual development followed the scenarios, the extent to which the GEIS or an EIS accurately assessed impacts, and community members’ experiences with the process, and ability to impact outcomes.

Time To Go Back To The Drawing Board; Int. 2186-2020 Is Not Ready

Inwood Legal Action strongly advocates going back to the drawing board to substantially revise Int. 2186-2020 considering the issues we have raised in our testimony, and only, after seeking the extensive public input recommended by the planning profession. Instead of rushing this bill through the legislative process, take time to include public participation and to develop consensus from diverse constituencies. Otherwise, the Council will have replaced one flawed process with another more flawed, and more costly process.

There is another land use bill that we believe is far more likely to correct historical inequities than Int. 2186-2020, and that has been publicly vetted for more than two years. This bill, Int. 1572-2019, “Requiring A Racial Disparity Report For Certain Land Use Actions,” has grassroots and organizational support. This bill would help to reduce the racially disparate effects of land use actions, such as displacement, and would help New Yorkers to get the truly affordable housing they need. We urge every Member to sign-on as a co-sponsor and to enact it with a veto-proof majority without further delay.

Thank you for your consideration and your work.

Paul Epstein, Results That Matter Team, and Dr. Cheryl Pahaham, PhD, Sociology
 Inwood Legal Action Co-Chairs
 Dr. Susanna Schaller, PhD, AICP, Professor of Urban Studies and Planning
 Inwood Legal Action Research Committee Chair
 Philip Simpson, Esq. Real Estate Attorney
 Inwood Legal Action Legal Committee

February 23, 2021

Hon. Fernando Cabrera, Chair
Committee on Governmental Operations
New York City Council
New York, NY

Re: Int 2186-2020
Comprehensive Long-Term Planning
OPPOSITION

Chair Cabrera –

As a long-time resident of Council District 1, Manhattan I write to state my opposition to Int 2186-2020, legislation put forward to establish Comprehensive Long-Term Planning in the City of New York. While attempting to address insufficiencies regarding a wide array of important issues facing our great city, the bill as now written would establish an unnecessarily autocratic bureaucracy. The top-down structure would minimize community self-determination and lead to the further diminishment of neighborhood voices.

The Committee Report accompanying this bill fails to address the cost to NYC taxpayers for what appears to be a duplication of the Department of City Planning. The issues the bill seeks to address - housing, infrastructure, transportation, education, culture and more – definitely are in need of our attention, but what is now put forward is not the way to go about it.

I respectfully call on the members of the NYCC to say no to Int 2186-2020. Then reach out to local communities. Work with folks in the neighborhoods, from the ground up. Together with the people of New York our Council can find a better way to move us forward.

Sincerely,



Preserve Our Brooklyn Neighborhoods

February 18th, 2021

In Opposition to City Council Bill- Intro 2186

Preserve our Brooklyn Neighborhoods (POBN) has examined the proposed Bill in which the top-down developer driven rezonings have been given –to quote Hunter College Urban Planner Professor Emeritus Tom Angotti - "their new shroud of legitimacy".

The overdue interaction between agencies; the failure to connect urgencies in disparate bureaucratic initiatives must be addressed...yes, 'comprehensively'. This is NOT the answer –this is NOT it.

Au contraire, this initiative proposed by Speaker Johnson is a Trojan Horse and ignores the ongoing tsunami of community protests against one-size-fits-all rezonings...it negatively sustains the onerous disenfranchisement of community self-determination...and it undermines the last bastion of neighborhood 'ownership' by emasculating Community Boards instead of implementing them.

The last thing New York City needs is an even bigger thumb on the scale by ceding final neighborhood planning outcomes to the "technocratic elite under mayoral control".

After the Council ratified Mandatory Inclusionary Housing (MIH) in March 2016-which exacerbated market rate and luxury housing instead of the urgent need for low-income housing-to long-lasting negative effect, proposed Intro 2186 will be implemented at New York residents' peril. Please do not put New Yorkers in harm's way –again.

Vote it down!

Sincerely,

Sandy Reiburn –President

*Preserve Our Brooklyn Neighborhoods
100 South Elliott Place
Brooklyn, NY 11217*

Rene Hill

115-05 178th Place
Jamaica, NY 11434

Testimony Re: Planning Together proposal Int. 2186

I **object** to the “Planning Together” Proposal INT2186-2020, that Corey Johnson and some outgoing City Council members are backing.

As former QCB12 Chairperson, an economics major and a community leader, the Planning Together proposal is a **Top Down** plan, to up-zone our NYC communities. Currently we have plenty of empty apartments in our Jamaica, Queens area and there is no need to look at re-zoning in NYC, especially in our community. Our Southeast Queens, mostly minority community, was up-zoned enough when Mayor Bloomberg was in office and some of us was bad about that.

The fact that this proposal is being rushed into legislation when most of the NYC Council members are leaving, looks like they have subjective and selfish motives. The City Council should deal with the city and community-based agencies that waste money and do not do their jobs efficiently. More housing is not needed, especially if it will disrupt the characterization and the quality of our lives. The city has already made it difficult for our youth and homeless (but not in system) to find housing, because they inflated the vouchers, they gave the homeless in the system. Rooms for rent and apartments were low until the city started giving out landlord money making vouchers, paying over the going rate for apartments and rooms. Then landlords wanted to rent rooms for much more and it became harder for individuals without vouchers to rent. Therefore, the city made more people homeless.

Also, the fact that the Mayor and the current City Council flooded my community with homeless from other areas (including those from other states) and put them in hotels built for this purpose in our minority community, is an environmental injustice **that still needs to be addressed**. This proposal is a Top Down, and it will slowly destroy the value of our homes and make them only valuable to investors. If we kept our single-family zoning intact, investors would not want them, because they could not make money on them and then our kids or neighbors can afford to buy them. NYC is only looking out for the real estate industry and investors in this INT. 2186 proposal.

Community Boards should have more power than the “Planning Together Director”, that the city council wants to put as the head of this environmentally injustice Int. 2186 proposal. Instead of doing the right thing and letting the Community decide what they want their community to look like, City Council is forcing this unjust proposal on NYC before most of the City Council members term out, and run to make profit off of their new real estate ventures. Buying up currently Single family-zoned areas and transforming them to the new up-zoning areas and plans to be imposed by NYC. This plan needs to die before our communities do.

Rene Hill

Richard C. Hellenbrecht
246-72 86th Road
Bellerose, NY 11426

February 23, 2021

Testimony Before City Council re: Intro. #2186-2020

Members of the Government Operations and Land Use Committees

I speak to you today for myself, Richard Hellenbrecht, a lifelong resident of New York City and a proud single family home-owner in the town of Bellerose in eastern Queens. I am known to be an active member of civic, business and parks organizations in the borough. I have thoughtfully considered the subject Intro as well as the Planning Together study document. As land use chair of a Queens community board I am well aware of the crying need for additional support for our local district offices, particularly for more and better planning data as well as increased coordination among city agencies.

However, if I were a member of this City Council I would never consider voting for a massive, complex and potentially disruptive legislation such as Intro 2186-2020, knowing that the bill's primary sponsor will not be in office to lead the implementation or take the heat for any likely problems.

The city is facing numerous crises right now. In addition to your awesome responsibility to govern the largest city in the country, the Council's job right now is to fight the COVID pandemic, get eight million plus people healthy, get businesses up and running, open schools and get kids in them, prepare for climate change, find homes for the homeless and balance the worst budget crisis in decades.

When all of that work is done you are welcome to turn the City's planning apparatus on its ear. Meanwhile, let's stop wasting time fixing what ain't broke and solve these very real and pressing problems.

Testimony of Richard Charlton for Hearing of Feb. 23, 2021, before the Committee on Governmental Operations: Requiring a comprehensive long-term plan, Int 2186-2020 (Planning Together)

To the Committee: My name is Richard Charlton. Thank you for the opportunity to offer testimony in writing in reference to the above-referenced committee hearing, held on Tuesday, February 23, 2021. I originally intended to also testify live via my mobile phone, but I apologize that I had to leave the hearing before receiving my opportunity due to pre-existing commitments. I urge you to take what I have written, below, as seriously as if I had been able to deliver it, at least in summary form, live.

I've reviewed the Planning Together final report, and I felt compelled to speak up today not because I am an expert in this area (which I am not), but because of I'm hoping that the approach in the report would help us avoid a situation that I'm currently witnessing, and that I think we can learn some lessons from, and that is the situation of the Marx Brothers Playground (at East 96th Street and Second Avenue), located two blocks away and across the street from my apartment, which is on the south side of E 96th Street in Manhattan.

If you take a look at page 27 in the report, under the heading "Insufficient Proactive Planning for our Neighborhoods," you read that, "[P]lanning in NYC is forced to put significant emphasis on reacting to individual rezoning proposals and trading concessions for community benefits. Without a coherent citywide framework or shared understanding of citywide challenges and goals, proceeding with neighborhood-by-neighborhood and lot-by-lot rezonings has become increasingly contentious." And to that sentence, from what I've seen not as an expert, but as someone in a family with small children, I might add not only neighborhood-by-neighborhood and lot-by-lot but also, potentially, playground –by-playground and park-by-park rezonings.

For anyone not familiar with the Marx Bros Playground project, I'm referring to a playground and ball field, which has been alienated, or de-parked, subject to conditions that apparently have yet to be fulfilled. The current plan is that a private developer will put up a 60-plus-story rental building (at almost 700 feet in height), albeit with many affordable housing units, and additional buildings to provide new space for three schools (two high schools and a vocational school, Co-op Tech, which would be replaced). Now, the developer plans to leave recreational space in between the buildings, although construction could take five years, which can be a very long time for young people; and that resulting recreational space would no longer be a park, and (with substantial unused development rights) would therefore be subject to possible future development, as well.

Now while considering why this deal might have been made, I am, of course, sympathetic, because I know that this neighborhood, and by that I mean not only north of E 96th Street, but those of us to the south who are affected, too, does, indeed, need more affordable housing and updated or new school facilities. However, this area also needs recreational space, especially park space, and especially space that is suitable for ballplaying—and that is what is being traded away here, even if it is only for five years, and it is not at all replaceable. It has been pointed out that this area, in particular, suffers from a shortage of such space. So forcing the neighborhood to make a choice between a park and affordable housing and better schools, when this area really needs both, is fundamentally unfair. I hope that the

process described in the report, calling for a more holistic approach to such planning, will result in better outcomes for all involved.

And this issue isn't limited to the Marx Bros Playground—that playground is a jointly operated playground (JOP), and this has been raised in the press along with the potential specter of possible real estate developer focus on the over two hundred and fifty other JOPs city-wide, each potentially threatened in a very transactional, single-property kind of way. Indeed, even if not all of the JOPs are serious targets of real estate development, but rather only those in areas most in need of affordable housing and updated school facilities, then the failings of our current land planning policies are especially laid bare.

One issue to keep in mind, though, is the question of how the holistic planning envisioned by the report would address the relevance of the current boundaries of community boards and districts, and deference to those boundaries in the decision making process. In this case, the Marx Brothers Playground is in Community Board 11; because I live across the street and two blocks down, I live in Community Board 8, and also in a different City Council District. People across the street from projects such as this, or even just a couple of blocks away, can be affected just as much as those within the relevant community board and district boundaries, and if NYC is going to truly be holistic in its approach, land planning will need to recognize and accommodate this.

In conclusion, it seems to me that the approach laid out in the plan—really, any approach that seeks to focus more on the needs of the communities involved, and how to fulfill those--would be preferable to the system that we have now, which seems to still be an overly transactional approach, and at times unfair to the communities it seeks to serve. Thank you for the opportunity to share my concerns.



Testimony on Intro 2186

Government Operations Committee, Land Use Committee, and Capital Budget Subcommittee Joint Hearing, February 23, 2021

We recently released the [Right to a Roof report](#), calling for an Integrated Housing Plan to End Homelessness and Promote Racial Equity. We believe comprehensive planning must be a key part of the Integrated Housing Plan to ensure that residents' voices are meaningfully incorporated, and to create an equitable approach that centers fair housing and neighborhood priorities so that no single community can stand in the way of critical citywide needs, such as affordable housing development and homeless housing, and so that working class communities of color are not targeted for either speculative development or toxic infrastructure.

Our platform includes Creating a Citywide Comprehensive Planning Framework because we know that in order to be truly effective, planning must not be piecemeal, must meaningfully include communities in an effort to achieve racial and economic justice, and must be coordinated directly with budgeting and policymaking.

Nowhere is the need for interagency coordination more apparent than in addressing the homelessness crisis. Homelessness has long been treated as an issue that can be managed by the Department of Social Services, rather than an issue that can be solved through housing. What has resulted is an inflated Department of Social Services budget for shelters and a Housing Preservation and Development budget that dedicates little housing for over 79,000 people living in shelters or on the streets.

Meanwhile, in the last seven years, the de Blasio administration completed neighborhood rezonings in six low-income communities of color - East New York in Brooklyn, Inwood and East Harlem in Manhattan, Far Rockaway in Queens, the Jerome Avenue corridor in the Bronx, and the Bay Street corridor in Staten Island. Residents in all these neighborhoods struggled to make their voices meaningfully heard in the process, some even creating their own alternative plans,

which the administration ignored. The administration provided no clear rationale as to how they chose these neighborhoods to be rezoned over others, and top officials have even admitted on record that the decision can often be more political than reasoned.¹ The administration rejected outright community-driven proposals to guide development in Bushwick, Brooklyn and Manhattan’s Chinatown. Meanwhile, the vast majority of the over 70 MIH rezonings initiated by private developers also targeted low-income communities of color and failed to produce the kind of housing we need, with 89% of all apartments unaffordable to the average neighborhood resident (without additional subsidies) and 75% of “affordable” units targeted toward people making more than the neighborhood average.²

Likewise, years of disinvestment in public housing has fostered mistrust between residents and NYCHA leadership. A 2019 survey from CSS showed residents divided in their opinions about NYCHA’s various proposals to generate revenue and preserve units.³ At a recent State Assembly hearing on the *Blueprint for Change*, public housing resident leadership testified that residents felt left out of the plan’s development and called for the agency to improve its communication and engagement with residents.⁴

It is clear that our City’s current approach to planning is broken. It is time to move away from our reactive and transactional model toward a proactive and advocacy-oriented model that gives residents a real voice in decision-making about the city’s future. Yet we must also consider that some communities may not have the whole city’s best interests at heart - the recent opposition from residents of the Upper West Side to placement of homeless residents at the Lucerne hotel, for example, demonstrates how the wealthy and powerful’s “not in my backyard” attitude can assert undue influence.

A Comprehensive Planning Framework could ensure that both benefits and burdens are distributed fairly and that public investment is based on need, rather than traded with a community in exchange for approval of a rezoning.

A Comprehensive Planning Framework should be designed to meet the explicit goals of reducing racial and economic disparities and addressing the needs of the city’s most vulnerable populations. Community-district-level needs assessments should analyze opportunities, unmet

¹ Max, Ben and Gabriel Slaughter. [“New York City Doesn’t Have a Comprehensive Plan; Does it Need One?”](#) *Gotham Gazette*, May 16, 2018.

² Stein, Samuel. [Assessing de Blasio’s Housing Legacy: Why Hasn’t the “Most Ambitious Housing Plan” Produced a More Affordable City?](#) Community Service Society, February 2020.

³ Bach, Victor; Oksana Mironova, and Tom Waters. [“NYCHA in Flux: Public Housing Residents Respond.”](#) Community Service Society, July 2020.

⁴ Barber, Daniel and Reginald Bowman. [Testimony to the NY State Assembly](#) - Virtual Public Hearing on the New York City Housing Authority’s (NYCHA’s) “Blueprint for Change” Proposal to Help Streamline Operations and Address Its Capital Needs Part 1. December 8, 2020.

needs, and displacement risk, with a focus on access to affordable housing and housing for the homeless, jobs (including preservation of manufacturing zones), education, transportation, health, and sustainability.

Its implementation should be based on a collaborative process that allows residents and stakeholders to create and steward local land use plans based on the Framework.

Any rezonings and public facility sitings should be guided by the Framework and the associated local land use plans. These decisions should be made in conjunction with an associated policy framework and future plans for the City's expense and capital budgets.

We are pleased to see the current City Council take up Intro 2186. We hope to work with you to build on this proposal to craft a Comprehensive Planning process that will better assess and prioritize the needs of the most vulnerable New Yorkers, and align policy, budgeting, and land use decisions across agencies and communities to end homelessness and promote racial equity.

Signed,
Association for Neighborhood and Housing Development
Center for New York City Neighborhoods
Community Service Society
Community Voices Heard
Make the Road New York
Mutual Housing Association of New York
Riseboro Community Partnership
VOCAL-NY

Written Testimony of Sandy Hornick regarding the proposed Comprehensive Plan legislation

I must applaud the Council for its desire for equitable growth and for the need for a more resilient city. I had the privilege of seeing a presentation to the APA Metro Chapter of the proposed Comprehensive Planning process by Annie Levers. She's quite the powerhouse and her presentation was, in many ways, inspiring. Nevertheless, after thinking about her presentation, my own long experience with planning in New York City and the challenges facing the City, I find myself compelled to say that I do not believe the proposed legislation will be effective in achieving its stated goals.

New York City is in the midst of multiple concurrent crises. This addresses none of them. The next mayor will inherit a city with a damaged economy, damaged municipal finances, an MTA that carries a huge debt heavily supported by the now much-reduced farebox collections, rising crime, inadequate housing and a 400-year long racial legacy that our society only nibbles at. The new mayor will need to address these and other issues. It is not reasonable to expect a focus on a plan that will be produced in 5 years - after all the people on the current City Council that required it will have left office - to have much meaningful use. Elected officials, including the successors to current Councilmembers, need to look to the future but also need to address the needs of their current constituents. I would encourage current Councilmembers to ask themselves how much political flak from their communities they would be willing to risk in order to adhere to policies that were developed five or ten years ago.

New York's history shows what happens when well-intentioned "plans" run up against current politics. For example, a 1989 Charter revision required that the City adopt a "fair share" approach to siting city facilities. This was largely in response to claims by communities and their elected officials that they were not opposed to things like homeless shelters but only to their unfair distribution. The Dinkins' administration took this very seriously and, in addition to developing a Charter-mandated fair share process, developed a fair share plan for siting homeless shelters citywide. While I understand that many people have concerns about how the fair share process works and whether it is really fair, I would like to point out that the Dinkins administrations attempt to fairly distribute homeless shelters was met with a swift and fierce reaction. Virtually every community, supported by their local Council members, responded by saying it already had more than its fair share of facilities that might be considered noxious. In the end, the plan resulted in locating only 1 shelter.. The single resulting shelter was accepted in my very liberal home community of Park Slope but, even in such a community, for only 100 women. I can see no reason to think that future elected officials would be any different.

Many, if not most, communities have a similar reaction to increased density. New York is a dense place and most of us New Yorkers live in dense communities. Pre-pandemic, our subways were crowded when most of us used them. Our streets were congested. (Although traffic volumes have been declining, we keep repurposing street space for other purposes and imposing other traffic limiting measures so congestion does not decline when traffic volumes do.) Parking and bike lanes are in short supply. By national standards, the city is short on open space and the open space we do have is disproportionately at or near the outer edges of the city and away from the denser parts of the city where most New Yorkers live. The city is noisier than suburban, exurban or rural communities. Housing

is often frightfully expensive. Some schools are overcrowded, maybe more so in light of pandemic-related concerns.

So, how many communities and their elected officials readily embrace density to address the imbalance between housing demand and supply? Very few even as the constraints we put on density result in higher housing prices. No Comprehensive Plan would change permitted densities. Would an adopted plan require communities to accept more density? The answer is no. Rezoning would require consistency with the approved plan – whatever that is interpreted to mean - but not rezoning does not require any analysis about compliance with the plan. In effect, the requirement for consistency with a Comprehensive Plan serves as a deterrent to any increase in density that is not consistent but does not penalize communities for maintaining existing densities that are below what the plan anticipates. Once again, we must ask how many elected officials would vote to increase density against their communities' wishes just to be more in accordance with a Comprehensive Plan?

In her presentation, Ms. Levers highlighted that the deBlasio administration linked infrastructure investments to rezonings thereby giving communities an unfair choice to accept the rezonings and get capital investment or keep their current zoning and forego such investment. (My recollection is that administration initially put aside \$1.5 billion for infrastructure for the 15 future neighborhood rezonings which turned out to be nowhere near enough). She expressed the notion that, if there were a comprehensive plan that assured communities' capital needs and desires were met communities would be more receptive to compliance with the plan. This is nonsense.

The primary reason for inadequate capital investment is lack of money. Elected officials would gladly give their communities new schools, parks, playgrounds, sewers and whatever but there isn't money in the capital budget to do that. Most of the budget is spent on maintaining – sometimes barely adequately - the existing physical plant. This will not change if we had a comprehensive plan. In fact, given the current condition of the City's economy, it is likely to get worse before it gets better.

The planning process recommended in this bill contemplates the development of 3 scenarios for each of 59 community districts - 177 in all. Presumably, there would need to be an environmental review of each to inform the decision makers of the potential impacts of each, both individually and in combination. Since different combinations of the three scenarios would distribute growth differently, there would be corresponding changes in traffic, subway ridership, the need for school seats, open space, etc. for each of the different combinations. The environmental analysis would have to not only measure the consequences of growth within individual community districts but also analyze the impacts of growth in one community on other communities that might share infrastructure such as roads and subways. The 177 scenarios would require an environmental analysis of billions of alternatives. The response to how one would do the environmental review of each and all the combinations to inform decision making was that the Comprehensive Plan environmental review would not get into the actual detailed level of regular environmental reviews. In effect, it wouldn't be very informative and, contrary to what has been said about compliance with the plan and environmental review, every future project would still require virtually the same review currently required. The proposal would spend many, many millions of dollars on an environmental review that would be enormous - and consequently less read -

than those produced by the current, already flawed process. And then, future projects would still have to go through the regular environmental review process. This does not sound like an improvement to me.

The alternative to attempting to understand the myriad interactions of so many scenarios is to treat each of the 59 community district plans as separate plans for each community with little or no regard for how they fit together, in effect, turning this exercise into the antithesis of comprehensive planning. If so, it should be called planning separately instead of planning together.

The voters elect a mayor expecting him or her to do the things that he or she promised as a candidate. Ms. Levers described the 1993 *Shaping the City's Future* report – the only Charter-mandated Zoning and Planning report ever produced - as a pretty good Dinkins era report. (In disclosure, I wrote parts of that report.) Unfortunately, it was released a few weeks before the end of his term and had a shelf life that expired with the administration on January 1st. The incoming Mayor Giuliani was elected on a different platform and had other priorities. The Giuliani administration produced two Charter-mandated Strategic Policy Statements that represented what his administration was trying to do (I also wrote parts of those reports). The reports were ignored when they were issued and had no bearing on the following administration. PlaNYC, the Bloomberg era strategic planning document, was also a pretty good - even pioneering - document but, though his administration paid lip service to it in its strategic planning document - OneNYC, deBlasio had other priorities and commitments.

The proposed legislation fails to address the problem of top down/bottom up planning, if there is a solution. It is a very difficult problem. The Council hearing on this legislation 'solved' the problem with extensive "zoom" presentations and one day for the public – the bottom - to actually speak.

It is certainly appropriate and essential to involve communities in their future but somehow, the pieces must be fit together with a citywide prospective. Otherwise, you get a situation like that of the City's Long Island suburbs where it is in no one's interest to take enough housing to meet housing demand on Long Island and it has been decades since Nassau and Suffolk counties have absorbed anywhere near their share of the region's housing demand. This is not to pick on our suburban neighbors. It's just an observation about how difficult it is to deal with difficult locational issues. Indeed, it was acknowledged at today's hearing that "some Community Districts will have plans that have no growth at all."

I would recommend the City Council consider requiring something much more akin to PlaNYC type of document with significant public input (as PlaNYC tried to do with an extensive advisory committee and, perhaps inadequately, with public information meetings). It can be produced relatively early in an administration's term and, in addition to guiding the administration's priorities, would be a statement that the voters could compare the administration's rhetoric to. In the end, it will represent the mayor's priorities but it will be his or her administration that has to implement it and be held accountable. When the voters go to the polls, they can hold the Mayor accountable.

From the perspective of a sitting Councilmember, tying down an administration might sound like an attractive idea. It is entirely possible that among today's councilmembers sits a future mayor. If that were you, would you want to be prevented from doing what you promised the electorate and instead

be bound by the preferences of some previous elected officials that are no longer in office and no longer responsible to the voters? From the perspective of future Councilmembers, would you expect them to be anymore bound by their predecessors then you want to be bound by yours. I don't and it seemed at today's Council hearing that the Speaker doesn't either. Instead, he contemplates that the Council will continue to defer to individual members land use priorities thereby reducing all the effort into preparing a Comprehensive Plan into, at best, a loose guidance document that would hardly justify the scarce resources in time, money, community, professional and political effort required to produce it.

Sandy Hornick

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Mr. Hornick is the Prinicipal of Hornick Consulting, Inc., a land use consulting business. He previously served as Zoning Director and, later Deputy Executive Director for Strategic Planning at the Department of City Planning.

Dear City Councilmembers:

I urge you to oppose the comprehensive planning bill Intro 2186. While our city may need some kind of comprehensive planning over a 20-year horizon for physical infrastructure, this is the wrong bill. It empowers a new, Robert Moses-like figure to set Soviet-style housing quotas in the already dense and over-developed core of our city, takes away Councilmember deference, and makes a mockery of any attempt to democratize land-use decisions. Worse, it is a product of trickle-down supply-side theorizing about housing which has proven itself to be a failure already. The law pre-judges where to add new density and embodies that in law, rather than making the distribution and upper and lower bounds of density the object of discussion and planning. That is planning exactly backwards! The law also relies on unscientific indices of “displacement risk” which is extremely dangerous, as displacement is as much a political phenomena of bad laws on the books (or the lack of good laws) as much as it is problem of the housing market. Please vote no and develop a better law that includes more self-determination for local communities and is not so biased and focused on assigning housing targets to predetermined areas.

I couldn't say it better.

Sincerely,
Sandye Renz

32BJ SEIU Testimony

New York City Council

Intro 2186-2020: A Local Law to amend the New York city charter, in relation to requiring a comprehensive long-term plan

Good morning to the Chairs and Members of the committees. My name is Candis Tolliver and I am the Vice President and Political Director of SEIU Local 32BJ.

32BJ is the largest property services union in New York City, representing 85,000 workers across all five boroughs. 32BJ members are essential workers who maintain, clean and provide security services in schools, airports, commercial, and residential buildings across in this City. We support responsible development that invests in communities and lifts working families out of poverty.

32BJ commends the City Council for its intention to coordinate the complicated land use planning process with the capital budget in a manner the integrates racial and socio-economic disparities. We believe that any planning process must include commitments to good job standards to ensure that working people can continue to raise their families in this City. Any long-term citywide planning process must consider whether the developments will sustain or undermine wage standards and ensure that the projects do not do the latter.

32BJ has strong concerns about any bill that would limit essential workers' voices in the process. 32BJ works hard to ensure that before developers come into communities, they make commitments to pay workers family sustaining wages. Far too many communities are pushed aside when irresponsible developers ram through ULURP projects that leave behind working people and communities of color. The ULURP process provides an important and transparent forum in which workers can engage their elected officials to ensure that development means good jobs. In 2019, 32BJ engaged members and communities during the land use review process to ensure the creation of over 800 building services workers that will be created as a consequence of development.¹ Each year and in previous years – 32 BJ members have fought for good jobs standards rezoning after rezoning. As development continues to expand throughout the City, we will continue to protect job standards. The majority of 32BJ members, who predominantly identify as Black and Latino, know that their communities are best served when they earn family sustaining wages along with benefits adequate to cover their family's healthcare, a pension, and opportunities for upward mobility.

Amid the economic distress caused by the COVID-19 pandemic that is expected to last for years, New York must take every opportunity to strengthen jobs protections for essential workers. This is particularly true for underserved outer-borough communities where the majority of our members live. Any bill that limits workers' voices in the process is a step backward.

¹New Development Metric Presentation, 2019, slide 1.

A long-term citywide planning process that does not empower building service workers and firmly protect good prevailing wage job standards, is a plan that falls short for working families. Moreover, any citywide plan that does not include wage standards, will undermine efforts to build and protect access to affordable housing. Our City continues to be divided along racial and economic lines. We need plans that further the gains that communities of colors have made and does make changes that put working people at risk. We strongly encourage the City Council to consider a bill that instead ensures that workers have the opportunity to hold their elected representatives responsible in protecting workers' rights to be heard and prevailing wage standards for building service workers. Through democratic and transparent engagement, we can protect the economic gains of communities of color and 32BJ members.

Re: Master Development Plan (Bill 2186)

First, I must object to this meeting because it is NOT A SUFFICIENTLY PUBLIC MEETING due to its remote nature and because COVID restrictions do not allow the public to be in attendance, knowing which other parties are also in attendance. There should be no action taken further on this proposal until TRUE PUBLIC MEETINGS are allowed.

As a lifelong NYC resident citizen, I oppose the Master Development Plan (Bill 2186). I believe it is undemocratic and will ultimately harm the City, not help it control its development. Consider the current glut of luxury apartments, and commercial offices abandoned because of COVID19 now and future reshaping of commercial real estate, makes this project even less necessary as a means of increasing affordable housing. I do not believe that increasing luxury housing towers is the right way to avail our population of housing stock. I am against rezoning for height, particularly when historic buildings are threatened by damage or demolition.

Thank you for your attention.

Sincerely,

Adrienne Sosin, Ed.D.



**Testimony to the New York City Council
Joint Hearing on Comprehensive Long-Term Plan
Submitted by the Supportive Housing Network of New York
February 23, 2021**

Good morning members of the Council. My name is Tierra Labrada, and I am the Senior Policy Analyst at the Supportive Housing Network of NY. Thank you for the opportunity to submit comments regarding the proposed Comprehensive Planning legislation, Intro 2186.

As representatives for nonprofit supportive housing developers, the Network understands well the disjointed process of building affordable housing in New York City, as such, we support the idea of creating a citywide plan, which would, in theory, allow housing development to happen in a coordinated way across the city. A comprehensive plan could be a crucial step towards a more equitable approach to planning, if it is centered on reducing disparities and disinvestment in communities of color and ensuring a more equitable distribution of development and investment citywide.

On its surface, the idea of a streamlined, comprehensive planning approach that takes community and citywide need into account is a good idea. However, we want to work with the council and the city to ensure that supportive housing development is not only prioritized to address the homelessness crisis, but is easier to site and build.

As the City aims to move toward a more transparent, needs-based approach, one crucial component of the plan would have to be addressing the homelessness crisis. Any comprehensive planning legislation must include a robust analysis of homeless data and assessment of supportive housing needs throughout the city, and include this data in the Conditions of the City report. This legislation, as written, does not explicitly address the varied housing needs of people experiencing homelessness. Additionally, the legislation should be amended to seek out meaningful participation of people with lived experiences of homelessness on the proposed Long-term Planning Steering Committee.

The Comprehensive Plan must prevent displacement and facilitate the development of supportive housing by including the model in the plan's framework and needs assessment as distinct from purely affordable housing, while ensuring its development is treated as exactly what it is: standard residential.

The legislation must also ensure that every neighborhood is part of the solution to our housing crisis, by limiting council discretion and deference. Whether New Yorkers have a safe, decent, affordable place to live should not rest on the decisions of a single councilmember or community board. Currently this legislation does not solve for the problem that after the comprehensive planning is done, there will still be Councilmember deference. The proposal's failure to establish a framework to resolve competing

priorities between localized community needs and the citywide goals will result in a process that does neither.

We commend Speaker Johnson and the Council for advancing this bill and look forward to working together to make it as effective as possible.

Statement of SUSAN NIAL¹

Prepared for the hearing of the Committees on Governmental Operations and Land Use along with the subcommittee on the Capital Budget scheduled for Tuesday, February 23, 2021 at 10 AM²

The legislation, Intro 2185-2020, now before these Committees is a classic case of a wolf in sheep's clothing. It does not give me any pleasure to say this but the trend that has been guiding almost every aspect of change in municipal, state and National government is one that **glorifies the exclusion** of effective and informed public involvement while at the same time **pretending** to seek to more fully engage the public. The trend is evident here in this legislation and it was evident in the cynical changes to the NY CITY Charter that set up yet another layer of "protection" from public scrutiny around those both elected and appointed land use decision makers. Community boards have been defanged. Their resources constrained and put under the control of the executive branch. CBs have been aggressively and dismissively relegated to "merely advisory" bodies to which only bits and pieces of projects are referred. In changing, its Rules the Landmark Preservation Commission has stripped itself of jurisdiction by handing the approval process over, to a substantial extent to the staff who are with all due respect often out gunned, our resourced and over come by well resourced heavy hitters with connections. Additionally those LPC changes have taken proposals to make important modifications and some times destructive modifications to individual landmarks and historic districts out of public view and into staff offices.

The legislation limits public hearings. It relegates environmental reviews to "generic" analysis that is designed to ignore and denigrate those issues neighborhoods and residents are most interested in and that ultimately cause the most damage, including but not limited to project impact on air and light; traffic and pollution as well as water, sewage and drainage infrastructure and management. This is being done while some of the same people who support this legislation **claim** to be concerned about climate change and the environment.

This legislation cuts out the public in favor of Mayoral appointments to yet another new structure that will be unaccountable to the voters. The obvious opportunities for corruption, at worse, and standardless political rubber stamp, at best. It is an affront to every voter's intelligence and to the decades and decades of work done by neighborhoods, residents, small business to protect the communities they have created and that support them during good and bad times.

I'm sure others will raise specific questions with you about why this process has been "stream lined" or why the Mayor can over ride the community or how developers can slip through the loop holes clothed in works like "aligned" and "compliant" or why it has been decided to turn land use over to the Mayor in a process that is neither transparent nor democratic. They are right to raise these detailed concerns but I have a different take on what is being done here. I don't thing the answers will matter. When this proposed legislation is closely read, it is clear that it is a gift to REBNY and the developers and lobbyists who play Monopoly with the lives of others. Affordable housing has nothing to do with it. Better services have nothing to do with it. It's all about for profit opportunities. I urge you to not only vote no but to vigorously oppose this legislation. It's time for truth not artifice. People are tired of being lied to.

Thank you.

¹ I am testifying as an individual but I offer the following as background. I am a member of the New York Bar and have been active in preservation and land use issues for over 15 years on a *pro bono* basis. I am currently the co-Vice Chair of Landmark West!

² I intended to register to speak at the hearing but registration was closed. As a result, I am sending this statement to by email. I will also submit it with in 72 hours.



Initial Recommendations to Strengthen Intro 2186

February 23, 2021

Ensure that Comprehensive Planning will further integration without displacement

- Expand the stated goals of the plan to include reducing segregation and requiring more affordable housing in areas where it is currently lacking.
- Require that analysis and goal setting be specific about the types of housing - affordability levels, supportive services, unit sizes, etc. - that should be prioritized to address neighborhood and citywide needs.
- Include community district diversity indexes in the data to be measured and tracked over time.
- Incorporate planning for infrastructure investments necessary to expanding affordable housing options in areas where they are lacking in order to expand options for change - for example, by improving transit access

Ensure that Comprehensive Planning strongly promotes Equity in Budgeting

- Increase transparency around how budgeting decisions respond to the comprehensive plan through tools like an equity matrix and/or racial disparity reports
- Require a budget equity assessment to complement the Mayor's Management Report
- Create public tools tracking where capital budget investments are made

Include and center NYCHA residents and land in Comprehensive Planning

- Fully include NYCHA residents and land in every stage of Comprehensive Planning
 - Integrate NYCHA residents and NYCHA capital assets into the comprehensive plan, and apply the same processes regarding compliance
 - Ensure coordination between NYCHA's internal agency plans for campus improvements and the Comprehensive Plan
 - Conduct strategic and specific engagement of NYCHA residents in the comprehensive planning process
- Ensure that NYCHA residents are represented on all relevant planning bodies and committees, including the CPC and the Long-Term Planning Steering Committee

Ensure that comprehensive planning promotes inclusive, equitable Climate Resiliency Planning

- Center environmental justice and climate resiliency in comprehensive planning analysis and targets.
 - Analyze and plan for areas where fortification/retreat/changes in use may be necessary due to climate change, and/or where sustainability plans are needed, and prioritize these needs in related capital budgeting and in local growth or reduction targets
- Align the upcoming Environmental Justice plan and goals with the Comprehensive Plan
- Incorporate flexibility to respond to shifts in scientific knowledge

Ensure equitable access to robust community planning and public engagement in the comprehensive planning process

- Provide resources - including funding and technical assistance - to local communities to support engagement in the comprehensive planning process, prioritizing neighborhoods whose residents are traditionally underrepresented in planning and/or that have experienced historic disinvestment and a lack of resources
- Mandate robust outreach in each district to achieve overall participation that approximates the population distribution of the district and includes non-residential stakeholders with a wide range of interests.
- Include more meaningful public engagement opportunities in the comprehensive planning process.
 - Representative, deliberative, engagement must start early, and continue throughout the planning process. Ensure that communities have the opportunity and support to generate draft land use scenarios from the bottom-up, and that the results of community engagement in the process influence the outcomes, within the overall framework and targets set by the Citywide Goals Statement.
 - Make room for stakeholder panels at the community district level.
 - Require the Community Engagement Commission to provide "best practices" of engagement & support in using them to all agencies, committees and boards involved in public-facing work on comprehensive planning - this should go beyond traditional hearings or testimonies.
- Ensure that the Long-Term Planning Steering Committee, Borough Committees, and other relevant bodies reflect the diversity of the population at both citywide and neighborhood levels by incorporating representatives from community, racial justice, and environmental justice organizations, and ensuring representation for NYCHA residents, homeless New Yorkers, and other frequently marginalized populations

Ensure that the comprehensive plan has a maximum impact, meaningfully shaping future zoning, development, investment, and policy in NYC

- Ensure that actual zoning changes comply with plan
 - Tie the zoning resolution to the comprehensive plan, or ensure the legislative language facilitates doing this later through other means if necessary

- Clarify that the comprehensive plan should be considered authoritative and persuasive evidence of the city's land use policies in the bill and/or committee report
 - Consider codifying the comprehensive plan's land use components with a Future Land Use Map to indicate intended general uses (as distinct from zoning designations) in the plan in advance of detailed zoning changes
- Stronger tracking & reporting
 - Require the Mayor's Management Report to provide publicly accessible monthly or quarterly updates on actual development and investments once a comprehensive plan is approved or revised, with sufficient detail that elected officials and the public can understand the degree to which the comprehensive plan is being put into practice.
 - Mandate periodic evaluation or audit of the comprehensive planning process and results by an independent agency or office outside the Mayor's control. The audit could include determining how closely the development scenarios in the adopted plan adhere to community proposals, how well the adopted plans promote equity outcomes/stated goals of the legislation, extent to which actual development followed the scenarios, whether GEIS & EIS accurately assessed impacts, and community members' experiences with the process & ability to impact outcomes.
- Regional Collaboration
 - Include recommendation that the city coordinate with regional entities to encourage alignment between plans (ie, NYS, neighboring cities & counties, MTA, Port Authority, NJ)

ABOUT THE THRIVING COMMUNITIES COALITION

The Thriving Communities Coalition includes grassroots organizing, advocacy, policy and technical assistance groups who work across various issue areas and neighborhoods. We believe that the status quo approach to planning and land use in New York City does not work for most New Yorkers, and that without meaningful changes, the processes we have now will only continue to exacerbate inequality, segregation, and displacement. We are working together to win meaningful reforms to create a City where everyone has a chance to thrive.

[Visit Our Website](#) | [Contact Us](#)

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Testimony on Intro. 2186
Requiring a comprehensive long-term plan

February 26, 2021

**Public Hearing of the Committees on Governmental Operations, Land Use,
and Subcommittee on Capital Budget of the New York City Council**

My name is George Janes. I am an urban planner that regularly consults with landowners, architects, community groups and Community Boards on the New York City Zoning Resolution and I have been a certified planner for over 20 years.

I testified at the City Council's virtual public hearing for Intro. 2186, and now submit written comments for your consideration. With experience working in other communities that have adopted a comprehensive plan, I support comprehensive planning wholeheartedly. I know that a good comprehensive planning process, which reaches everyone with any interest in the community, is as much a part of the outcome as the actual adopted comprehensive plan.

The foundation of any good comprehensive plan is community planning. To be clear, community planning is not community engagement. The difference between the two is where the power lies. If we believe in community planning, we acknowledge that the power lies in the hands of the people. If we only do community engagement, we confirm that there is no power in the hands of the people and that those in power should only ask the people what they think before making the ultimate decisions. Unfortunately, as currently written, Intro 2186 is sorely lacking in community planning.

Our local communities have a wealth of knowledge that is constantly devalued, lost or set aside in our current planning process. It is through community planning that this knowledge can be harnessed and effectively used in the comprehensive planning process. The most obvious conduit to community planning is through Community Boards. Unfortunately, the current proposal does not provide much responsibility or resources to Community Boards. Instead of community planning, a mayoral office is given the role of community engagement. While most Community Boards would need new reforms and/or resources to effectively facilitate community planning, a mayoral office should never serve in this role. The potential for conflict of interest between the Mayor and the local community on the details of the local land use plan is a fatal flaw in Intro 2186. The comprehensive planning bill simply cannot move forward as it is currently designed. If it does, it has the potential to poison a generation to the idea of comprehensive planning.

While I believe the role of the Community Boards could be vastly increased, that is not the only option to replace the central role of a Mayoral office described in Intro 2186. Another option would be to follow the recommendations outlined in the Inclusive City report and form an Office of Community Planning. This office, as described in the report, would have “technical expertise and resources to support community planning, including 197A efforts, but should also be independent enough to allow work to be driven by communities.”

Comprehensive planning should support the people’s vision of the City, for the City, not the agenda of a Mayoral administration. The role of the mayor’s office in this proposal and the lack of a mechanism requiring future development to align with the adopted comprehensive plan defeat the stated purpose of comprehensive planning. Any future version of a comprehensive plan framework needs to require zoning changes be consistent with the comprehensive plan. Consistency ensures that an adopted comprehensive plan is not betrayed and would bring a comprehensive plan for New York City closer to comprehensive plans used in other parts of the state.

It appears that the current bill was designed with features that could be enacted now, without a referendum. This required compromises in the design of the planning process described in Intro 2186 that are just not acceptable to anyone who believes in the primacy of community planning. I encourage the Council to omit the land use component of this proposal, or fix it, but in no circumstance pass the version that was introduced in December 2020.

Thank you for your efforts and your willingness to continue the comprehensive planning discussion in New York City.

Please do not rezone Marine Park for greater than 1-2 family dwelling units. The park itself is already packed with residents and visitors. It's left a filthy mess on the weekends without fail. Putting buildings up around the park will only destroy the environment and landscape. There's a wildlife refuge directly across the street that should remain untouched. There aren't many of those left. Additionally, Marine Park does not have the infrastructure to support such upzoning. Street parking is already limited. There is no subway/train station within miles. Buses are the only mode of mass transit.

Leave it alone. This is a quality of life issue. Stop trying to line your friends' pockets!!

Thomas O

Response to Int. No. 2186

Please vote NO on Int. No. 2186 (hearing on February 23, 2021). On the surface it appears to be a long overdue improvement to uniform, city-wide, comprehensive planning, but the specifics on the process reveal a sinister obstruction and disenfranchisement of the local community, worse than exists now. This, in spite of the fact that the industry standard for planning emphasizes the imperative for local input - the best source for well-informed data and neighborhood analysis. The legislation, awash in contemporary issues to be addressed and socially acceptable buzz words, but totally lacking in due process will merely result in the “same old, same old”.

The challenges the city will be facing for the remainder of the 21st century are staggering. On the one hand, this legislation begins to address the myriad and diversity of issues such as “income disparities”, “unit habitability”, “resiliency score”, “segregation assessment”, “access to healthy food”. Yet on the other, it closes the door to the best data on these issues – the local community. Instead, it will be mayoral and agency staff responsible for the metrics with several sections and paragraphs in the legislation ending with “only data the director of Office of Long-Term Planning and Sustainability (OLTPS) finds appropriate to include”. How is appropriateness determined?

Several phases of the planning process require only one meeting with the public as if this complexity of challenges requiring a back-and-forth dialogue can be resolved in one go. Meanwhile, the incessant lobbying of elected officials and “targeting” of agency personnel by the real estate agency is completely ignored by the legislation. The magical thinking is abetted further by providing a mechanism whereby OLTPS, through a timing strategy, can bypass further input and approve its own plan of choice.

Not shy about revealing the developer-driven impetus behind the legislation, its entire orientation prioritizes growth over quality of life. It not only assumes, but expects every neighborhood in the city to become more dense, regardless of circumstances. In a post pandemic era, this attitude is even more egregious. What about planning for an era of less dense, less concentrated office space and focus on a post Covid environment of diverse uses and meeting places? Once it is established that this is a great place to live, then the density will come, not the other way around.

Some people support outside developers deciding how a local community should be planned. But when government collaborates, difficult and possibly unlivable neighborhoods result. One particularly egregious example is the Court Square section of Long Island City. In the early 2000’s City Planning at the behest of real estate interests changed the zoning in this predominantly industrial area to allow a lot-by-lot choice of industrial or housing. Local community members warned this would not work because the exclusive choice would be housing which would result in a severe infrastructure deficit to support the abrupt change to residential. City Planning’s response was an estimated 300 additional housing units can be absorbed. Eighteen years later newly created units, those under construction and those approved equal 30,000 additional units. Projections that are off by a factor of a hundred literally threaten the existence of a neighborhood.

It is suggested that City Environmental Quality Review (CEQR) be used once on the entire comprehensive plan so that individual projects “aligned” with the plan will not have to do it again. Alignment is determined by OLTPS. This idea is completely contrary to the original CEQR legislation which focused on potential impacts to local communities undergoing development significant enough to trigger an environmental review. Furthermore, , several CEQR chapters are 40 years out of date and

considering current threats to the environment none of them adequately address climate disruption especially in floodplains such as exist in Long Island City.

The legislation requires one public meeting with the community where it expects to get feedback on an array of very complex issues. This is without providing the community with any resources. Meanwhile, the developers have a year of preparation spending millions on consultants and attorneys. The legislation must level out the playing field by providing equal time and money to community boards and viable community groups.

Provided by,

Thomas Paino
4512 11 Street
LIC, NY 11101

UTOPIA ESTATES CIVIC ASSOCIATION

I am addressing this Committee as the Chairwoman of the Utopia Estates Civic Association. Our Association has been active in the community since the 1970's. Our neighborhood is comprised of primarily one and two family homes. However within walking distance we have multi-family dwellings and the Fresh Meadows Development. We work together to maintain the quality of life in our community. Our motto is "We are our neighbor's keepers". We live that motto.

Speaker Corey Johnson and members of the City Council support the "Planning Together" proposal presented to the residents of NYC. It should be stated that Civic Associations and Community groups in Queens and throughout the City support affordable housing and **comprehensive** long-term planning. In reading the proposal it is obvious the Speaker's proposal does not accomplish either goal! More and more Community Leaders are going on record as being opposed to this proposal.

What this proposal does accomplish:

- Removing the requirement for agency input, deliberation and serious public review.
- Giving extensive power and discretion to the Director of Long Term Planning;
- Up-zoning significantly those 1 and 2 family zones without a guarantee of infrastructure or capital improvements.
- Allowing developers to bypass our current ULURP process so that they can proceed with up-zoning with little or no review.
- Taking the desires of neighborhoods out of the process to meet "citywide goals" and limiting input from Community Boards by imposing selection to 3 scenarios to be voted on by the Council and if no consensus the final decision goes to the Director of Long Term Planning.

In conclusion:

The Speaker and Council put forward the need for transparency. The question becomes who fact checked this report? I ask because conclusions are inaccurate and misleading. NYC is unique in the Country and in the World. We are not Seattle, Minneapolis, Portland or Burbank. We are NY. We should lead, not follow, the Country in comprehensive urban planning. We should never accept and impose what other municipalities are doing on the neighborhoods of our City.

The Speaker, many of the supporting Council members and the Mayor are term limited this year. This is not the time to impose their wills on the Councilmembers remaining and those who will be replacing them as new members. In addition we should not forget that a referendum for comprehensive planning was rejected by the voters of NYC and it is obvious that the people do not want to see our small residential neighborhoods scrutinized every 10 years and eliminated by the whims of the short term appointed future Directors of Long Term Planning.

This plan is seriously flawed and should be rejected for a real affordable housing and comprehensive planning proposal that includes the voters and the members of the Council we elect to represent us.

REJECT THIS PLAN!

Maria De Innocentiis, Chairwoman
Civic Association of Utopia Estates

Dear Members of the NY City Council:

February 23, 2021

I am writing to urge you to vote NO on Intro 2186.

This legislation is not a commitment to the communities who will be impacted by displacement, but rather it appears as a last-ditch attempt to assert a legacy for this administration.

For a plan that is being sold to us as a more equitable and community-centered plan, it seems notable that community groups were not consulted or informed, and I have heard that Community Board members were not involved and many do not even know this is happening.

What we fear is that this will only further solidify the control of the mayor's office in land use decision-making, that the mayoral appointees (who frequently have ties to finance and the real estate industry) will be able to make sweeping changes that leave us vulnerable to the consequences, unintended or otherwise, of major developments, which we know have a well-documented pattern of causing run-away speculation, destroying the existing affordability in the surrounding area, forcing out long-term tenants and small businesses, and destroying the social fabric of a neighborhood.

I support a more rigorous process to measure the impacts of development, the racial and class issues, the environmental and infrastructural effects. But in order for these metrics to matter, they must not be wielded by profiteers. Currently, City Planning acts on behalf of profit-seeking developers, unfortunately, as do you, when it comes to many land use decisions.

I see the fingerprints of the real estate lobby all over this legislation. I can imagine how big development plans will be quickly rubber stamped because they "align" with the master plan, and I'm not at all convinced that this will be done with justice or community benefits in mind.

Despite the slogan of "planning together", this legislation has no mechanisms to give us regular people more say than we currently have (and the say we currently have consists of pleading and yelling at you over and over again in these hearings not to destroy our homes and neighborhoods).

While I support the concept of a comprehensive plan in theory, as a way to stymie the rampant growth of developers carving up our city lot by lot, if we are to embark on such a major decision with long-lasting impacts, we must choose a more transformative plan. We must take a strong stance toward repairing the decades and decades of harm done to black and immigrant communities through the cruel and blatant racism of redlining, and the horrific policies of "benign" neglect and disinvestment.

Respectfully, as a city council in its last term, with a disastrous record on housing and land use that will go down in history, we demand that you stand down and let a new administration chart the way forward. It is not up to you to plan for 10 years ahead. You've done enough. Please vote no.



Sincerely,
Vanessa Thill
624 Myrtle Ave #1
Brooklyn NY 11205



Testimony of VOCAL-NY

Presented before the
New York City Council
Re: Intro 2186

Presented by:
Paulette Soltani
Political Director

February 23, 2021

My name is Paulette Soltani. I am the Political Director at VOCAL-NY. VOCAL-NY is a grassroots organization, working to end AIDS, mass incarceration, the drug war, and homelessness by building the political power of low-income people across New York State and providing public health services for people who use drugs in Brooklyn. On behalf of our organization, I want to thank Speaker Johnson for introducing this legislation and members of the Council involved in today's hearing for the opportunity to provide testimony.

We are pleased to see the City Council take up Intro 2186 and consider comprehensive planning for New York City. Through the campaigns to close Rikers Island and defund the NYPD, we have called for what we call a "Caring and Compassionate New Deal" for New York City -- a comprehensive plan to tackle the issues that underpin our criminal justice system: homelessness, extreme poverty, mental health issues, and drug use, through a massive investment of resources and a restructuring of government agencies.

The cycle of homelessness, failed drug policies, inadequate public health services, over policing and incarceration, has endured for years. Now, the ongoing coronavirus pandemic and the ensuing economic fallout — and the disproportionate impacts these issues wrought on low-income communities of color — have made it abundantly clear that New York City must make a plan to tackle these intersecting issues. For far too long, our elected leaders have sought piecemeal and underfunded approaches to these problems, while continuing to allow police and jails to serve as the de facto tools for addressing these issues.

On any given night before COVID-19, over 79,000 people slept in New York City shelters or on the streets. And, our City's overdose crisis claimed over 1,463 lives in 2019 -- all of these deaths were preventable. Today, 5,5000 people are caged at Rikers Island -- up from 3,800 people at the beginning of April 2020. **Any approach to comprehensive planning must center addressing the intersecting issues of policing and incarceration, record homelessness, unmet mental and behavioral health needs, and substance use.**

The Scale of the Problem

New York City has no plan to house [78,000](#) people living in shelters or on the streets. Homelessness has continued to be treated as a permanent relic in our city, with few leaders proposing solutions to put our city on track to end the crisis. Instead, things are getting worse for the most marginalized New Yorkers. In October, for the first time in our City's history, single adult homelessness surpassed 20,000 people in shelters -- a majority of whom are Black and Brown.

VOCAL-NY runs a syringe exchange program in Brooklyn and provides services to 1,000 people who use drugs. The majority of these individuals are homeless, most living on the streets and in need of supportive housing. Our participants who are street homeless face a myriad of experiences that no person ever never should -- from abusive policing, developing abscesses from being forced to use in unsterile and unsafe environments, or having their limbs amputated due to sleeping outdoors in freezing conditions. For over twenty years we have long said, “housing is healthcare.” Despite our attempts to contact city agencies for support when our participants are faced with the most desperate situations, we've had little success getting many of them into safe and permanent housing.

Similarly, many VOCAL-NY members who live in the shelter system have been there for years. Coalition for the Homeless [reports](#) that more than half of single adults in shelters are estimated to have a mental illness, and many of them would likely be eligible for supportive housing. However, for every five approved supportive housing applications, only one vacancy exists. The need for supportive and affordable housing far outweighs the production of units for homeless individuals. In fact, the administration’s *Housing New York* plan treated homelessness as a fundamentally separate issue from housing until 2020 when the City Council passed Local Law 19, requiring city-funded projects to set aside 15% of housing units for homeless New Yorkers. Until then, the City’s revised housing plan allocated just 5% of the city’s 300,000 unit housing plan for homeless people.

While homeless New Yorkers have little access to city-financed supportive and affordable housing, many people have CityFHEPS vouchers that pay below fair market rent, so it’s nearly impossible for them to find housing in most New York City neighborhoods. At the same time, people with vouchers face widespread illegal source of income discrimination. Our City’s enforcement agencies are simply not equipped to confront this rampant issue, keeping thousands of people homeless. The administration relies almost entirely on this broken voucher system to house homeless New Yorkers.

The city has poured enormous sums of money into shelters, broken vouchers, rather than creating adequate supportive and affordable housing for people with no housing. Community Service Society reports, “Spending on shelters more than doubled between 2014 and 2018, with the Department of Homeless Services (DHS) budget hitting a record \$1.8 billion in 2018, plus an additional \$650 million allocation toward expanding and improving the shelter system. Removing state and federal contributions, the city is responsible for \$1.04 billion in DHS spending, plus a relatively meager \$147 million in HPD spending on housing geared toward the

homeless.”¹ The effects of government siloing and wrongheaded approach to land use decisions, budgeting, and policy have fueled record homelessness in New York City.

Overdoses, meanwhile, is an intersecting issue. The scale of the problem is national — in 2019, preliminary data from the CDC shows nearly 72,000 people died from a preventable overdose. In New York City, there were 1,463 overdose deaths in 2019 and Black and Latino rates have increased over the last five years, while white rates have stabilized. Someone dies from an overdose every six hours, and these deaths are taking more lives than car accidents, suicides, and homicides combined. The neighborhoods with the highest overdose rates are the same neighborhoods that face racial and structural inequities. And though policymakers have been well aware of this problem for decades, little has been done to address it. In fact, there has been a 170 percent increase in the number of overdose deaths in New York between 2010 and 2019. This issue has unsurprisingly been exacerbated during the Covid-19 pandemic. Data on the subject is still scarce, but preliminary data shows 2020 will be the worst year for overdose deaths in recorded history.

Research has demonstrated that the issues of homelessness, mass incarceration, and overdose are, unsurprisingly, related. Drug users who are homeless are unable to access supportive housing and effective harm reduction models of care remain at high risk of a fatal overdose — and overdose remains the leading cause of death for homeless individuals. At Rikers, 75 percent of people who enter the jail have a substance use disorder, and any stint of incarceration can be deadly as overdose is the leading cause of death for people who are released from jail or prison. And all of this is made worse by our city’s reliance on institutions that are ill equipped to comprehensively address substance use disorders, like the city’s shelter system, police force, and criminal legal system.

Addressing these multiple, intersecting problems, moreover, isn’t just a moral imperative to right the wrongs against some of the most marginalized among us — on some level, these issues impact every resident of New York City by overly taxing our healthcare system, and diverting limited government funding — that could be allocated to any number of more productive uses — to shelters and prisons that help perpetuate rather than solve these problems.

We urge the City Council to craft and enact a comprehensive planning process that confronts the intersecting issues of homelessness, drug use, incarceration. To do that, land use, budget, and policy decisions across agencies must be examined and realigned. We must reduce the role and scope of the NYPD. We must reinvest funding into a Caring and Compassion New Deal, committed to the creation of a housing, public health and social services workforce and infrastructure to be built out of a collaborative Department of Social Services, Department of

¹ Stein, Samuel. [“Assessing De Blasio’s Housing Legacy: Why Hasn’t the ‘Most Ambitious Affordable Housing Program’ Produced a More Affordable City?”](#) Community Service Society, January 2021.

Health & Mental Hygiene, and Housing Preservation and Development effort tasked with facilitating the creation and implementation of a holistic vision to tackle these seemingly intractable issues.

Thank you for your time and consideration,

Paulette Soltani
Political Director
775-340-2359
paulette@vocal-ny.org

I am the President of the West Cunningham Park Civic Association in Fresh Meadows, within Community Board #8 in Queens. We are a LOW DENSITY community of mostly single family homes. Our civic association completely rejects Speaker Johnson's proposed "Planning Together" bill. This bill would forever change our community, forcing potential high density development, potentially turning over our existing zoning, all with no community input or community say over what happens in our own community. It is a short-sighted, misinformed proposal and must end before it goes any further.

Elaine Young

As a young New York City resident and a firm proponent of climate resilience, equity, and public transportation, I fully support the Council Speaker's effort to enact comprehensive city planning. Due to the piecemeal planning of the last half century, inequality has run rampant. Comprehensive planning offers a better way forward.

Fewer and fewer New Yorkers have access to affordable housing, including the steady degradation of NYCHA. Existing affordable units have long waitlists, and market rent has increased exponentially. I live in Williamsburg, where tens of thousands of Black and Latino residents can no longer afford to live due to racist rezonings that have focused on minority neighborhoods, leaving upper-class neighborhoods like SoHo to gradually reduce their housing supply. Other wealthy neighborhoods like Park Slope have seen their property values greatly increase without corresponding increases in taxes. To reduce racial inequity, we need to stop putting the burden of providing housing on lower-income, majority-POC neighborhoods. By planning citywide, housing requirements can be distributed across the city and coordinated with transit, rather than constrained to a handful of upzoned neighborhoods.

The city also needs to take a broader approach to transportation for the sake of the climate. After buildings, transportation is the top contributor to greenhouse gas emissions. We need to expand green transportation options throughout the city, especially buses and bikes. Bus riders, often the poorest New Yorkers, have gotten stuck in growing traffic due to a lack of dedicated lanes. The city should plan for a network of rapid bus lines, not just one corridor at a time. While the MTA controls the routes, the city controls the streets; paint and cameras are cheap to implement. Also due to a lack of city support, DOT and CitiBike have long focused on wealthy, white neighborhoods of Manhattan and inner Brooklyn. There are far fewer protected bike lanes outside of these areas. While this is finally changing, the city could help speed up the change with matching funding to CitiBike and comprehensive bike network planning.

If the city plans these two improvements together across the entire city, we can house many more New Yorkers affordably, and provide them better access to their jobs and neighborhood amenities. Taking veto power on positive changes like new housing and streetscape improvements away from wealthy, white, privileged community board members would be a very important step, and comprehensive planning will help get us there.

William Meehan

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Principals

Claire Weisz
Mark Yoes
Layng Pew
Adam Lubinsky

February 22, 2021

To the Committee on Governmental Operations:

My name is Adam Lubinsky. I am the Managing Principal at WXY Studio, and I am also an adjunct urban planning faculty at Cornell, Columbia and the New School. I submit this testimony as an individual, based on experience gained through working in London for eight years as a planner and ten years working as a planner and urban designer in New York City. I highly commend the efforts behind the *Planning Together* document, and I see this as a critical step for New York City to undertake. My testimony seeks to identify ways of strengthening the proposed process.

Background

During my time in London (2003 – 2011), much of my work was on policy documents associated with the London Plan. While at WXY, I facilitated the steering committee for the East Harlem Neighborhood Plan and assembled the final Plan. I discussed the value of the East Harlem process in a book chapter co-authored with Susan Fainstein in *Learning from Arnstein's Ladder: From Citizen Participation to Public Engagement*, published in fall 2020. In addition, I have led Comprehensive Plans for municipalities outside of New York City. I have also led numerous area-wide plans and engagement processes in New York City, such as the Brooklyn Tech Triangle Strategic Plan, the Brooklyn Navy Yard Master Plan, the Sunset Park Brownfield Opportunity Area Study and the District 15 Diversity Plan, and these experiences have informed my considerations.

Observations Based on Past Work and Experience

The London Plan is, in many respects, an important comparison for New York City's comprehensive plan considerations. Both London and New York City are global cities of more than 8 million people, whereas the two case study cities cited in *Planning Together*, Minneapolis and Seattle are, respectively, about 5% and 10% the population of New York City. The London Plan (2004, with following updates) established a statutory strategic spatial plan for the entire city and then allocated housing targets for the boroughs. From 2004 through 2010, local boroughs were responsible for developing Local Development Frameworks, which were statutory documents that created development and land use plans that adhered to, and further detailed, the city-wide spatial strategy and housing targets. The LDFs included planning documents such as Strategic Infrastructure Studies that considered the capacity of physical and social infrastructure and Area Action Plans that developed guidance for specific growth areas in lieu of a zoning framework similar to New York City. My work in London included management of Strategic Infrastructure Studies and Area Action Plans.

In 2010, just before I left London, I worked on a study for the new Community Infrastructure Levy (CIL), which was tied into many LDF processes. The CIL functioned as a tax on net new development, with variation depending on the different market conditions of the different boroughs. The CIL funds local needs as well as major infrastructure projects such as Crossrail, which established a new east-west train link across the city and onward to Heathrow Airport.

London's boroughs, of which there are 32 plus the City of London financial district, are structured and resourced to undertake processes such as the LDFs. It is clear that New York City's Community Boards, of which there are 59, do not serve the same role and are not similarly resourced.

Given the complexity and scale of London (and New York City), there was an incredible value on both logistical and political levels, for more detailed planning to be undertaken at the local scale. This is not to discount the importance of conducting city-wide strategic planning that sets in motion the local planning efforts – it is simply to emphasize that local planning provides enormous benefits through the deeper engagement it creates, the use of local knowledge and capacity to catalyze local actors, and the ability to establish greater local buy-in.

While not a perfect precedent, it is worth citing the East Harlem Neighborhood Plan as a case study for local planning within New York City. Completed in 2016, the East Harlem Neighborhood Plan stands out as a rare instance in which a neighborhood came together to create a plan that willingly proposed a significant re-zoning with new densities, tied to a holistic plan for neighborhood improvements. The East Harlem Neighborhood Plan grew from the work of a Steering Committee appointed by local councilmember and City Council Speaker Melissa Mark-Viverito, which included members of the Community Board 11. This unique arrangement, with technical planning and engagement expertise paid for through New York City funds and foundation grants, balanced broad public engagement with focused committee sessions and Steering Committee meetings to create a plan over an approximately 8-month process.

I would emphasize one final note building from past work and experience is that much of the focus in New York City tends to be on the distribution of housing need. Yet through the area-wide and master planning work that I've undertaken in New York City, there has been a dearth of studies to underpin economic development strategies. The *Planning Together* document touches on this absence, but I would like to emphasize that, especially in light of the COVID-19 pandemic, there is an incredible demand for publicly available city-wide economic development guidance that brings together sectoral market analysis that considers growth patterns and emerging sectors, space and building inventory, skills and labor availability, and existing infrastructure/infrastructure deficits into a coherent strategic vision.

Considerations Moving Forward

1. There clearly needs to be a strong New York City agency lead that can develop the city-wide vision and spatial plan, including allocation of housing need, economic growth, and infrastructure throughout the city. However, the City is going to struggle to gain traction without deeper local engagement. There should be a framework for local plans to further develop the city-wide vision and allocations.
2. In order to further investigate what these “local development frameworks” might look like, it would be worth conducting deeper research into the successes and failures of the LDFs associated with the London Plan. (I would be willing to help make contacts with London planners associated with this work.)
3. It is important to note that a local development framework, as demonstrated by the East Harlem Neighborhood Plan, does not necessarily need to be entirely led by community boards and could be done in conjunction with City Councilmembers and other stakeholders through an entity created just for this process.
4. It is possible that some Community Boards may not want to recognize the vision and spatial plan of a central City agency. Making the plan statutory (just as the London Plan is statutory) will strengthen the plan.
5. There still may be resistance among some community districts to engage with the plan-making. One option would be to make it possible for Community Boards, in conjunction with their Councilmember(s) and other stakeholders, to create their local development frameworks that adhere to the broader city-wide vision and spatial plan. This approach would recognize that some districts will not take this opportunity, but it can serve to show the non-participating community districts the value of establishing a community-based plan when the next iteration begins. It is assumed that the OLTPS would take on the planning of those non-participating districts, in consultation with the Community Boards.
6. These processes will need technical support, and there is an opportunity to have planners currently working at city-wide agencies such as the Department of City Planning become local planners working directly for the entities creating the local development frameworks.
7. It is critical that these “local development frameworks” have a holistic understanding of “development,” including economic, social and cultural development that is aspirational and in tune with the needs and desires of local residents.
8. It could be incredibly valuable for these local plans to identify how new development would contribute financially to the holistic needs of the community. While I understand the challenges around establishing impact fees, there should be a renewed push to investigate the potential for funding streams similar to the Community Infrastructure Levy that are connected to development planning.

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These considerations suggest that the ambitions should not just be to address “insufficient proactive planning for our neighborhoods,” as stated in *Planning Together*, but should be to ensure that there is proactive planning in our neighborhoods.

Thank you for taking the time to review these considerations.

Kind regards,

A handwritten signature in black ink that reads "Adam Lubinsky". The signature is written in a cursive style with a large, sweeping flourish at the end.

Adam Lubinsky, PhD, AICP
Managing Principal, WXY Studio

This action by the city does not in any way, shape or form supports or protects anyone except developers. Please reconsider and think of the people first.

Anthony Jay Van Dunk

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March 1, 2021

**Testimony of the New York Building Congress before the New York City Council's
Governmental Operations Committee on the proposed 10-Year Comprehensive Planning
Framework for New York City**

Chair Cabrera and members of the City Council Committee on Governmental Operations, thank you for the opportunity to provide testimony regarding *Planning Together: A Comprehensive Planning Framework for New York City* and associated legislation, Intro 2186. The New York Building Congress is here to testify in support of the recommendations focused on proactive planning, the equitable distribution of funding and the furthering of efficiencies.

The Building Congress has, for a hundred years, advocated for investment in infrastructure, pursued job creation and promoted preservation and growth in the New York City area. Our association is made up of over 550 organizations comprised of more than 250,000 professionals such as architects, engineers, contractors, subcontractors and labor representatives. Through our members, events and various committees, we seek to address the critical issues of the building industry and promote the economic and social advancement of our city and its constituents. In furthering that mission, we are proud to see that this report aligns with our *2021 Policy Agenda* recommendations to encourage strategic zoning initiatives, embrace racial equity in planning practices and seek to overhaul interagency coordination.

Over several decades, government officials and elected representatives have made progress in providing long-term guidance, improved coordination between government agencies and greater transparency in decision-making during the planning and budgeting process, all of which have benefited New Yorkers. Through various amendments to the Zoning Resolution and Charter reforms, we have empowered communities, funded critical infrastructure across the city and established processes to drive growth and development. All of these are laudable successes of which we should be proud. Today, our city demands similar, innovative practices to align with our current needs and aspirations.

More recently, we applaud the de Blasio administration and the City Council for investments over the last seven years in the growing needs of New Yorkers. The "Housing New York" plan, published in 2014 and revised in 2017, significantly increased the Capital Budget of previous administrations and aimed to create and preserve 300,000 affordable homes by 2026. In addition, a \$1 billion "Neighborhood Development Fund" was created to support capital projects in rezoned neighborhoods. These commitments translate into billions of dollars invested in housing, libraries, parks, schools, roads and workforce initiatives that tremendously benefit the immediate communities affected, as well as our broader economy several times over.

While these investments may be deemed successes, there remains a severe housing shortage and infrastructure in many neighborhoods across the city, where growth is not induced or projected, remains neglected and in a state of disrepair. Current rezoning efforts are advanced in neighborhoods where there is appetite for such initiatives, leaving untapped potential across the five boroughs. The lack of investment is particularly true for

low-income communities, many of which have felt the effects of exclusionary housing policies, and for our neighbors in New York City Housing Authority (NYCHA) properties, where capital needs continue to outpace funding. Despite record-setting progress in housing creation, over 80 percent of New York's low-income households remain rent burdened, and as noted in our *Building the Future of New York City: NYCHA* report, even with novel initiatives such as Rental Assistance Demonstration transfers, unless revenues are drastically increased, the authority risks placing its current residents in unlivable conditions.

In order to better understand the state of infrastructure across New York City, the New York Building Foundation created the *New York City Infrastructure Scorecard* in collaboration with NYU Wagner in June 2020. The scorecard is a comprehensive assessment that examined infrastructure conditions across five core areas: airports, communications, energy, mass transit and roads. The city's overall score in these areas totaled three of five stars, further emphasizing the need for a proactive infrastructure plan.

In the spirit of creating greater efficiency, the Building Congress also renews its call to create the position of Deputy Mayor of Construction within the Office of the Mayor to oversee all public capital construction and serve as a single point of contact for the multiple agencies involved in the development process. Preferably, this position could require certifications in engineering or architecture. More so than the Mayor's Office of Long-term Planning and Sustainability, a new Deputy Mayor of Construction would ensure alignment between agencies that at times operate in silos, have competing interests and place varying demands on the limited resources within the City's budget. Moreover, we urge the Council to streamline the ULURP process and not add additional bureaucratic hurdles that are costly and/or ineffective in achieving the goals of the plan.

Notwithstanding our support, there remain concerns we believe should be addressed and questions requiring answers. If passed as currently written, how will land use applications be treated prior to the adoption of the preferred land use scenarios? Will the Council elect to place a moratorium on applications until such preferred scenarios are adopted? If so, this will have disastrous consequences for our members and the building industry as a whole and abruptly end much of the progress we have achieved in recent years. Real estate and construction remain a vital component to our economy, creating thousands of jobs annually. Additionally, does it remain appropriate to use community districts created in the 1970's as the basis for future planning? Today, our 59 community districts vary greatly in size and density, and our infrastructure and built environment, both in design and function, do not conform to these boundaries. We urge you to explore creating districts specifically designed for this plan or subdistricts within existing community districts to fully address the needs of every community. We are also concerned with the lack of credentials necessary for the position of Director in the Office of Long-Term Planning. Like the specific professional credentials required of appointees to the Landmarks Preservation Commission, we request further clarity on the professional experience and academic preparation necessary for the Director. Lastly, given that power over major transportation infrastructure is vested with the state and federal government, how will this plan ensure coordination with each of those bodies?

In closing, to expedite our economic recovery and advance principles of equity and fairness, we agree that we must continue to innovate the decision-making processes that help our metropolis grow. The current piecemeal approach to planning and capital infrastructure spending exacerbates the frustrations of residents and businesses and will not allow New York City to reach its fullest potential. We must come together to advance recommendations that reduce inequality, support equitable growth and expedite investments in the infrastructure for our 21st century needs. Should the recommendations we highlighted advance, we will begin to lay the groundwork for the type of integrated citywide planning that New York deserves.

We look forward to working with you to advance this effort. Thank you for your time and consideration.

Very truly yours,



Carlo A. Scissura, Esq.
President & CEO
New York Building Congress