



## **TO THE NEW YORK CITY CHARTER COMMISSION**

The NY Metro Chapter of the American Planning Association represents 1,200 practicing planners and policy makers involved in the planning and design of the region's communities and is part of the American Planning Association with a national membership of 41,000. Our members work on myriad issues and projects related to the physical, social and economic environment in the New York City metropolitan region.

As a professional, educational, and advocacy organization, we offer recommendations on selected planning and economic development issues. The creation of the first Charter Revision Commission in six years offers an opportunity to revisit some of the procedures dealing with land use regulation and historic preservation. In preparation for the June 24<sup>th</sup> Issue Forum on land use, we would like to offer the following suggestions. Our comments can be grouped into three general categories:

### **A. Uniform Land Use Review Process**

While we believe ULURP functions well overall, there are a few minor revisions to the process which would help to ensure better public participation while still maintaining the overall time frames:

- A1) Allow the City Council 60 days to review ULURP applications;
- A2) allow the Council to approve minor modifications to the ULURP plan without having to return to the City Planning Commission;
- A3) authorize Borough Presidents to require a scoping session for all ULURP applications;
- A4) allow the City Planning Commission to make the final determinations on all administrative land-use permits.

### **B. Board of Standards and Appeals**

To ensure that the BSA has adequate technical expertise and to ensure that decisions are merit-based, we recommend the following:

- B1) Commissioner appointments must be approved by all Borough Boards & the City Council.
- B2) Require that a land-use attorney be appointed to the BSA along with a planner, architect & engineer.
- B3) Require that the removal of a Commissioner before their term expires be approved by the City Council.
- B4) Allow the City Council to review BSA decisions with the ability to invoke an appeal with a 2/3 majority vote.

### **C. Community Benefits Agreements**

C1) While the goals of ensuring equity, local participation in construction and that neighborhood amenities are provided are laudable, CBAs have been susceptible to misuse, do not always achieve the



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intended results and are largely unregulated, generally negotiated outside the ULURP process. While we do not advocate for eliminating CBAs entirely, there should be stricter guidance, enforcement and limitations on their use.

We appreciate the opportunity to offer these comments and are willing to work with the City of New York on future land use issues.

Very truly yours,

A handwritten signature in black ink, reading 'Donald C. Burns'.

Donald C. Burns, AICP  
Chapter President