



DEPARTMENT OF CITY PLANNING
 CITY OF NEW YORK
 OFFICE OF THE DIRECTOR

**Statement from Marisa Lago, Chair of the NYC Planning Commission and Director of the
 Department of City Planning, before the Land Use Committee of the City Council, on the
 Mayor’s Fiscal Year 2022 Preliminary Budget**

March 10, 2021

DCP Financial Summary						
	2019	2020	2021	Preliminary Plan		*Difference
<i>Dollars in Thousands</i>	Actual	Actual	Adopted	2021	2022	2021 - 2022
Spending						
Personal Services	\$ 28,150	\$ 28,207	\$ 30,642	\$ 29,006	\$ 29,689	\$ (953)
Other Than Personal Services	\$ 11,923	\$ 14,807	\$ 13,942	\$ 17,056	\$ 12,498	\$ (1,444)
Total	\$40,073	\$43,014	\$44,584	\$46,062	\$42,187	\$ (2,397)
Funding						
City Funds	\$ 24,096	\$ 22,437	\$ 24,185	\$ 22,033	\$ 25,766	\$ 1,581
Federal - Community Development	\$ 14,513	\$ 19,145	\$ 19,056	\$ 21,629	\$ 15,078	\$ (3,978)
Federal - Other	\$ 1,273	\$ 1,237	\$ 1,343	\$ 1,832	\$ 1,343	\$ -
Intra City	\$ 4	\$ 95	\$ -	\$ -	\$ -	\$ -
State	\$ 187	\$ 99	\$ -	\$ 568	\$ -	\$ -
Total	\$40,073	\$43,014	\$44,584	\$46,062	\$42,187	\$ (2,397)
Headcount						
Full-Time Positions - Civilian	309	301	361	327	334	(27)
Total	309	301	361	327	334	(27)

**The difference of Fiscal 2021 Adopted compared to Fiscal 2022 Preliminary Budget.*

Good afternoon Chair Salamanca Jr., Subcommittee Chairs Moya and Riley and distinguished members of the Land Use Committee. Thank you for the opportunity to discuss the Department of City Planning’s (DCP’s) Preliminary FY 2022 budget.

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Before turning to the budget, I want to briefly touch upon the urgent and ambitious recovery-focused work that DCP plans to move through the City's Uniform Land Use Review Procedure (ULURP) before the end of this City Council's term. DCP's project pipeline for the remainder of this year is tailored to be responsive to Council Member priorities, and New York City's tremendous post-pandemic challenges. First and foremost, we seek to activate land use tools to help us dismantle some of the stark racial inequities that continue to plague our city, including by creating permanently affordable housing in some of Brooklyn's and Manhattan's wealthier, centrally located neighborhoods. Our work is simultaneously focused on access to jobs and job creation. And, underpinning all of our work is our commitment to advancing key resiliency goals of this City Council and this Administration. Each of the projects that we seek to advance builds on years of smart data analysis and planning, and benefits from community input.

DCP's planning work – which relies on your and the public's advocacy, input and support – includes advancing major public and private projects. Some of the largest private projects that you will be asked to review and adopt promise significant upgrades to some of New York City's largest and most impactful health care facilities, including a proposed expansion of The New York Blood Center in Manhattan. Just last fall, we prioritized and finalized approvals for important expansion and modernization plans to Borough Park's Maimonides Medical Center. With more than 700 beds, Maimonides is Brooklyn's largest hospital.

Proposals that you will see entering ULURP in the coming months include a handful of critically important citywide zoning text amendments, all of which are aimed at helping residents and

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small businesses recover from the effects of climate change and the pandemic, both of which have so disproportionately harmed New York City's most vulnerable communities.

First among the citywide proposals that DCP is advancing is Zoning for Coastal Flood Resiliency (ZCFR), which updates and makes permanent emergency zoning rules that had been put in place in the aftermath of 2012's Hurricane Sandy. A soup-to-nuts overhaul of zoning, ZCFR is crafted to work in and for New York City's diverse floodplain communities and building typographies, protecting them from devastating but infrequent storms like Sandy, as well as rising sea levels and daily flooding. We can never lose sight of the fact that our city's expanding floodplain is already home to 800,000 New Yorkers, and tens of thousands of affordable homes, businesses and jobs.

The types of structures that this citywide text amendment can help protect are comprehensive. Let me give a few examples. A NYCHA or a Mitchell-Lama complex in Lower Manhattan or in Manhattan Beach will be able to construct an elevated mechanical building in a yard to address the needs of the entire campus. A single- or two-family homeowner in the Rockaways or Great Kills who is doing a substantial rehab, or building anew, will be entitled to additional overall building height for elevating their structure above the Base Flood Elevation, established by the U.S. Federal Emergency Management Agency (FEMA). An industrial business located in the South Bronx or along Newtown Creek will be allowed to build a mezzanine in buildings that are often otherwise difficult to floodproof. This means that important files and other sensitive equipment can be safely stored on the mezzanine, allowing these businesses to get back to work quickly after a storm.

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ZCFR, which is based on four years of intense outreach to residents and businesses across the five boroughs, entered public review last Fall and is set to be voted on by the City Planning Commission (CPC) next week (3/17); and to come before the City Council soon after that.

Alongside ZCFR, DCP is set to release the next Comprehensive Waterfront Plan later this year.

The New York City Charter-mandated report will offer a plan for the role that the waterfront can take in addressing the challenges that we face as a city. The plan, which is refreshed and re-released every 10 years, is a community-driven vision for the city's 520-miles of waterfront for the next decade and beyond. The plan is guided by principles of health, equity and resiliency. It is prepared under the advisement of the 20-member Waterfront Management Advisory Board – including two City Council members, environmental justice advocates, a marine biologist and a leading maritime expert who is also a Port of New York and New Jersey tug boat captain.

Public outreach is a major component of preparing the plan. Beginning in 2019, DCP planners launched a community engagement effort that rooted the plan in the good ideas of thousands of New Yorkers. DCP has worked with local arts and education groups to gather public input from people of all ages and backgrounds. When in-person meetings were suspended last Spring, our planners and our partners, including the not-for-profit groups Culture Push, Works on Water and Brooklyn Boatworks, created remote engagement activities. From May through August, DCP and our partners released educational videos on social media to increase awareness of the vastness and variety of the city's waterfront. These videos were viewed over 6,000 times. We held 12 remote public workshops from September through November to

engage New Yorkers in shaping the content of the new plan. In total, more than 600 New Yorkers attended these workshops.

In addition to ZCFR, we are preparing four new citywide text amendments that we intend to advance into public review this year. Each is aimed at smoothing the way for a fairer and more equitable recovery for local communities and small businesses. This package of text amendments is being advanced in close collaboration with the City Council and a wide variety of agencies.

One of them, Elevate Transit: Zoning for Accessibility (ZFA), seeks to expand and improve zoning rules that allow the Metropolitan Transportation Authority (MTA) to leverage private development to help create accessible subway and commuter rail stations. The need to develop and advance zoning tools for this purpose was definitively memorialized in the City Council Speaker's 2019 "Zoning for Transit Accessibility" report. With ZFA, we are working with the MTA and the Mayor's Office for People with Disabilities (MOPD) to expand a zoning tool that is currently limited to only a few areas of the city, mostly in Manhattan. ZFA would require property owners near stations, when developing their properties, to work with the MTA to provide station access easements. It would also expand zoning incentives to landowners in high-density districts who construct station accessibility improvements. The goal is to help expedite the delivery of a far more accessible and equitable transit system.

Our second zoning text amendment pertains to the Food Retail Expansion to Support Health (FRESH) Program. The proposal seeks to update and expand the 2009 FRESH program, which uses zoning and tax incentives to encourage the creation of convenient, accessible grocery

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stores that provide fresh fruit, meats and vegetables, in addition to a full range of grocery products, to communities with food needs. The pandemic has only reinforced what we already knew, that many lower income communities do not have convenient access to healthy foods for their families. The current program applies in 19 community districts in four boroughs.

Working closely with the Council, the updated proposal seeks to bring the zoning program to another 11 lower-income districts, including, for the first time, to Staten Island.

Third, our Health and Fitness zoning text amendment seeks to change outdated regulation that prohibit the location of new exercise gyms, licensed massage therapy, martial arts studios, and spas (among other health-related businesses) in many neighborhood retail locations. Further, even in zoning districts where these salubrious uses are allowed, the current outdated zoning requires the owner of one of these health and wellness facilities to obtain special permission from the City's Board of Standards and Appeals (BSA) before they can open for business almost anywhere in New York City. This is a long-outdated restriction on a type of business that, today, we not only take for granted but also cherish as a neighborhood amenity. The current requirement to go through the BSA process typically adds six months and at least \$50,000 to the cost of opening even a small yoga studio. Meanwhile, COVID-19 has only made it more clear how important our physical and mental wellbeing is. The existing requirements create a very high bar for small and independent businesses. Unless reformed, this outdated zoning regime will slow the economic recovery of a sector that has been significantly harmed by the COVID-19 pandemic. DCP's proposed zoning text amendment would allow these health and wellness

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facilities to open “as of right,” in other words without first having to seek special permission from City government.

Finally, DCP is pursuing an Open Restaurants text amendment. The New York City Department of Transportation (DOT’s) Open Restaurants program helped to re-energize our sidewalks and streets, and it saved 10,000 mostly small businesses and 100,000 jobs. The City will secure the future of outdoor dining by removing zoning limitations that might hinder efforts to make the program permanent.

Let me also touch on some of the most significant public and private land use projects that are expected to enter ULURP in the coming months. Each of these projects is being advanced to aid in our recovery and to help dismantle inequities faced by our communities of color. They do so by creating jobs, both permanent and temporary; producing desperately needed quality affordable housing, especially in centralized and transit-rich communities; and creating better public open spaces, including parks, playgrounds, and waterfront recreation areas.

You have no doubt heard about our ongoing work to advance both the Gowanus and SoHo/NoHo Neighborhood Plans into public review. Together, these two public plans, informed by intensive stakeholder engagement, would bring thousands of affordable homes to some of New York City’s most high-opportunity neighborhoods. They would also update 1960s- and 1970s-era zoning to work in neighborhoods that have changed significantly since then, better serving small businesses, neighborhood residents – and New York City’s recovery.

Currently in public review, the Governor’s Island proposal, also advanced by a City-controlled entity, seeks to ensure that this historic island is forever open to the public ,while also

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leveraging the unique environment and waterfront location to create a New York climate center – thus providing a central convening spot for researchers, advocates, innovators and students from around New York City and the globe who are focused on climate change solutions. The center is projected to create 8,000 direct new jobs and \$1 billion in economic impact for New York City.

When it comes to private-sector land use proposals, we are prioritizing projects that significantly advance public health and economic recovery. Examples of private land use proposals that are job generating including the proposed Wildflower Studios in Queens, which promises 1,100 jobs, and the expansion of Acme Smoke Fish's facility in Brooklyn, which will maintain 140 local jobs and bring another 1,300 office jobs.

As important to the city's recovery are major upcoming affordable housing projects, such as Stevenson Commons in the Bronx, the East New York Christian Cultural Center in Brooklyn, and River North on Staten Island. At Stevenson Commons, where the existing complex's Mitchell-Lama status was recently renewed for another 40 years, the current proposal adds more than 700 new affordable homes, a portion of which will be permanently affordable.

The other two projects would, together, bring more than 700 permanently affordable homes, enough for at least 1,500 New Yorkers, under the City's Mandatory Inclusionary Housing (MIH) program. Among the nation's most demanding inclusionary housing programs, MIH ensures that neighborhoods where housing is created following a zoning change that increases residential density, between 20 and 30% of that housing must be permanently affordable. Since its inception in the Spring of 2016, more than 3,300 new permanently affordable homes have

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been financed in 21 Community Districts. In addition, MIH has been approved for future construction projects in a total of 39 Community Districts across the city, ensuring that new development in a wide range of neighborhoods will include permanently affordable housing.

I would also like to describe two large public engagement and transparency initiatives that DCP has launched. The first initiative is NYC Engage, a remote portal developed in house by DCP planners. NYC Engage allows anyone, anywhere, to join CPC and DCP public meetings either online or by phone. This utilitarian portal allowed us to restart the CPC's planning work in August and the City's Uniform Land Use Review Procedure (ULURP) in September. Because of this accessible and intuitive remote-public engagement tool, we are able to move toward adopting the racial equity, recovery and resiliency projects that I have spoken to today.

Since ULURP restarted, 49 proposals have entered ULURP, about half of them housing projects seeking approval for nearly 5,800 new homes. Of that total, over 2,800 are affordable and more than 900 are permanently affordable under MIH.

While remote meetings offer a different experience than in-person meetings, remote engagement allows more New Yorkers to easily join public meetings and be heard from wherever they happen to be. Since NYC Engage debuted, the CPC and DCP have held 62 remote public meetings, with more than 3,200 people joining. Of these live events, 40 were Charter-mandated, for which live or written testimony is received. These including CPC public hearings and environmental review scoping meetings for land use proposals, in which public comment is solicited to help inform the environmental review process.

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Some of our most important land use work is DCP's ongoing neighborhood-level work. Since October, DCP has hosted three SoHo/NoHo community information and question/answer sessions for the public, attracting close to 900 participants. Similarly, DCP and Brooklyn's Community Board 6 co-hosted three update meetings on the proposed Gowanus Neighborhood Plan, drawing over 800 participants.

Designed as a one-stop remote portal for the public to access all public hearings and meetings held by City agencies, NYC Engage is already being used for the City's public rule making process, the City Administrative Procedure Act (CAPA), and NYC Engage has been adopted by five other city agencies: the new Civic Engagement Commission; the Department of Housing Preservation and Development (HPD); the Landmarks Preservation Commission (LPC); the Department of Parks and Recreation (DPR); and the Public Design Commission (PDC).

The second large public engagement and transparency initiative we launched is an important update to DCP's sweeping Zoning Application Portal (ZAP), a multi-year project with a budget of \$7.5 million. Since December, ZAP allows New Yorkers to view and download land use applications and related environmental review filings as they enter public review. Before the pandemic forced many of our offices to close, New Yorkers who were interested in reviewing land use applications needed to trek to DCP's offices or to their local Community Board to review a paper application. Today's ZAP replaces yesterday's 20th Century, paper-based, land-use filing system. Having these documents digitally available means that elected officials, community boards and all members of the public can directly and instantly access the details of any land-use proposal. ZAP brings significantly added efficiency and transparency to the City's

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planning work. Even more importantly, ZAP gives the public another tool to engage more fully in the City's public land use review process.

FINANCIAL OVERVIEW

DCP entered Fiscal Year 2021 with an Adopted Budget of \$44.6M and an authorized headcount of 361 full-time staff positions, of which \$24.2M (54%) and 160 positions are funded with City Tax-Levy dollars. DCP's remaining \$20.4M (46%) budget allocation and 201 positions are funded through New York State and federal grants, primarily through the federal Community Development Block Grant (CDBG). The \$44.6M Fiscal Year 2021 Adopted Budget allocated \$30.1M – over two-thirds of DCP's operating budget – to agency-wide personnel services (including part-timers and members of the CPC) and \$13.9M to Other-Than-Personal-Service (OTPS). DCP expends City, State and federal tax dollars to plan for the future of our City.

In comparison to the FY21 Adopted Budget, DCP's FY22 Preliminary Budget of \$42.2M and 334 full-time staff lines, represents a net \$2.4M reduction and 27-position decrease to the overall operating budget. This \$2.4M decrease is the combination of a net \$953K decrease in Personal Service funding and a net \$1.4M decrease in OTPS funding. The \$2.4M decrease between DCP's FY21 Adopted Budget and FY22 Preliminary Budget is largely driven by the expiration of temporary funding allocations from prior fiscal years, including the expiration of DCP's Hurricane Sandy CDBG-Disaster Recovery grant, and several budget adjustments associated with agency savings initiatives implemented across fiscal years 2021 and 2022 to meet citywide budget reductions.

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The \$953K and 27-position Personal Service decrease to DCP's FY22 Preliminary Budget consists of a \$1.8M and 27 headcount reduction, which is offset by a \$800K restoration of current year reductions that return to the budget in FY22, and minor incremental collective bargaining adjustments.

Reduction to DCP's Personal Service funding include:

- \$838K and 16-position decrease in personnel funding received through a federal CDBG Disaster Recovery grant that was awarded to DCP post-Hurricane Sandy. Funding and positions, which heavily support the resiliency and coastal planning work of DCP's Waterfront and Open Space Division, is set to expire at the end of FY21. DCP is working closely with OMB to determine a transition plan for DCP's CDBG Disaster Recovery-funded staff to allow for coastal resiliency and planning of the City's 520 miles of waterfront to continue beyond the end of this federal grant.

- \$517K (of which \$237K is baselined) and a baselined seven-position Personnel Services funding reduction was implemented by OMB, cutting a percentage of DCP's overall tax-levy headcount and funding.

- Loss of \$150K and two temporary CDBG positions awarded in Fiscal Year 2018 to assist with the on-going maintenance and enhancement of DCP's GeoSupport system. The GeoSupport system is used by a wide array of agencies that rely on location data from the City's address validation system.

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- Expiration of \$255K and two positions temporarily granted to support the build-out of DCP's ZAP paperless filing system and integration with CEQR View. The build-out of ZAP was successfully completed in 2020.

These \$1.8M reductions are offset by:

- \$800K replenishment of previously-claimed Personal Services savings are restored in Fiscal Year 2022.

- \$6K in contractual increases negotiated through collective bargaining.

The \$1.4M decrease to DCP's OTPS budget is driven by \$3.2M in expiring, temporary allocations received for short-term initiatives – many of which are federally funded through federal CDBG, and a \$1.7M FY22 replenishment of tax-levy environmental consulting funds that were claimed as savings in FY21. The FY21 allocations for Environmental Impact Statements (EIS) were partially replaced with CDBG funding in FY21 to allow DCP to give back tax-levy funds while ensuring that sufficient funding would still be available for City priority projects.

This \$3.2M reduction from one-time and temporary project funds consists of \$1.7M in CDBG-Disaster Recovery funding transferred into DCP's budget from HPD for environmental consulting work related to their Edgemere Rezoning. HPD is leveraging DCP's on-call environmental consulting contracts for the preparation of the EIS, \$1.15M in CDBG funding that had been temporarily added to FY21 to replace tax-levy EIS allocations, \$300K tied to the completion of ZAP, and \$43K tied to the expiration of DCP's CDBG Disaster Recovery grant.

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Overall, these budget changes result in a net reduction of \$2.4M and a decrease of 27 positions to the DCP budget. DCP's FY22 Preliminary Plan budget stands at \$42.2M, or a 5% reduction from the FY21 Adopted budget. DCP will begin FY22 with an authorized full-time headcount of 334 positions, allocating \$29.7M to agency-wide personnel services and \$12.5M to non-personnel services. DCP will continue to use our resources as efficiently as possible to carry out DCP's work program and to meet the needs of this City's communities.

Thank you, and I look forward to your questions.

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2020 Travel Trends report (year-end report and bi-weekly reports published beginning in April 2020). Between April 2020 and Jan. 2021, DCP released a total of 27 [COVID-19 Weekly Transportation Reports](#)

[Info Brief on Net Change in Housing Units, 2010-2020](#)

[Covid-19 and NYC Metro Region Residential Sales Trends](#)

[NYC Housing Production Snapshot: First Half of 2020](#)

[Citywide Statement of Needs for FY 2022-2023](#)

[Retail Activity in NYC: COVID Recovery Across 24 Neighborhoods](#)

[NYCHA Connected Communities guidebook](#)

[Animals of NYC Physical Distancing Activity Book](#)

[NYC 2020 Census response reports](#)

List of Digital Tools released in 2020-2021:

[Zoning Application Portal update](#)

[NYC Metropolitan Region Telework Capability Portal](#)

[Comprehensive Waterfront Plan website](#)

[NYC Engage](#)

[DCP Housing Database update](#)