

# Council OKs System to Track Promises Made During Rezoning Debates

By Jarrett Murphy  | December 16, 2016



*William Alariste*

*Manhattan Councilmember Corey Johnson at a City Hall rally last March.*

When the city wants to rezone a neighborhood to permit more development, approval sometimes comes at a price. Community boards, borough presidents and—most important—City Council members often demand infrastructure spending or new programs to address longstanding problems in the neighborhood or head off new ones the rezoning might bring. A promise by the administration to provide those benefits is often what proceeds a “yes” vote at the end of the land-use approval process, known as ULURP.

ULURP is about transferring property or changing zoning designations, however, not recording promises, let alone monitoring their fulfillment. The enforceability of deals cut between private developers and community groups, called community benefits agreements, has long been in question. As the de Blasio administration moves to rezone a dozen or more communities to facilitate the mayor’s housing plan, a list of public promises is likely to grow.

On Thursday, the Council took a step toward keeping that list (and maybe even checking it twice). By a 48-0 margin, it passed Intro. 1132-a (<http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2637116&GUID=AB629863-4E14-4F88-8AEC-D03AED71CD90&Options=ID|Text|&Search=1132>), which will “require the administration to establish and maintain a publicly accessible, searchable online list of written commitments made by the mayor to the Council or a Councilmember in connection with most ULURP applications, including applications for neighborhood rezonings, amendments to the zoning resolution, dispositions of real property, and special permits that involve at least four adjacent blocks of real

property.” The law would apply to all commitments made in writing by the mayor or his representatives, as well as promises made by private entities that are worth \$1 million or more. The measure requires an annual report to the Council “on the progress of all commitments in the list.”

But writing a list down and making sure the things on it actually happening are two different things. That’s why a coalition of community groups that had been pushing for more rigor in the commitments process called Intro. 1132-A “an important step in the right direction” but called for the city “to do more to ensure that commitments made in rezoned communities are transparent and enforceable.”

The statement from the Community Development Project at the Urban Justice Center, Community Voices Heard, Community Action for Safe Apartments, Cypress Hills Local Development Corporation, Pratt Center for Community Development, Association for Neighborhood Housing Development, Hester Street Collaborative and Center for Urban Pedagogy continued: “Intro 1132-A includes annual reporting on commitments, but does not require tracking of specific indicators of change in neighborhoods and does not make clear how the city will carry out the commitments that it is tracking. We believe that a more comprehensive approach

([http://cdp.urbanjustice.org/sites/default/files/CDP.WEB.DOC\\_Oversight\\_Proposal\\_2016.pdf](http://cdp.urbanjustice.org/sites/default/files/CDP.WEB.DOC_Oversight_Proposal_2016.pdf)) should include a centralized Mayoral Office to coordinate, oversee and implement commitments made to rezoned neighborhoods; and community monitoring committees to allow for deep involvement, oversight, and participation from rezoned communities.”