

The State of 197-a Planning in New York City



Planning Center

Fall 1998

Acknowledgments

This assessment of 197-a planning in New York City was made possible by the generous support of the Robert Sterling Clark Foundation and the New York Community Trust.

Jocelyne Chait wrote the report, under my direction, with research and editorial assistance from several staff members of the Planning Center, including Veanda Martin, Yasmin Moya-Gutierrez and Jennifer Keller. I am also grateful to Brendan Sexton, past President of the Municipal Art Society, for his guidance of this project, and to Michael B. Gerrard, Counsel to the Society, for reviewing the draft.

We deeply appreciate the comments, advice and insights of participants in our focus group meetings as well as city officials, community leaders and planners we interviewed during the course of this study. They include: Tom Angotti, Matthew Bauer, Eddie Bautista, Douglas Brooks, Marie Bueno-Wallin, Frank Chaney, Joyce Coward, Harold DeRienzo, Penelope Duda, Henry Ehrhardt, Estel Fonseca, Janet Golovner, Maxine Griffith, Eva Hanhardt, Sandy Hornick, Marcie Kesner, Edward Kirkland, Benjamin Kornfeind, Robert Lane, James Lima, Alric Nembhard, Robert Perris, John Philips, Carol Pieper, Jeannette Rausch, Wilhelm Ronda, Ed Rogowsky, Joseph B. Rose, Warren Samuels, John Shapiro, Ronald Shiffman, Mitchell Silver, Doreen Straka, John Talmadge, Barbara Weisberg and Linda Wood-Guy.

This report has also been shaped by our experience in working on the Williamsburg and Sunset Park 197-a plans, as well as discussions with individuals involved in preparing plans in other neighborhoods. We are grateful to the many participants in these efforts who shared their thoughts and knowledge, including among others Jon Benguiat, Tina Chiu, Maria Favuzzi, Ross Graham, Eldred Hill, Julie Lawrence, Joseph Longobardi, David Sweeny, and Ron Webster.

We also wish to thank individuals who generously contributed information on neighborhood planning efforts in other cities. They include: Nancy Ancel, Maryland Office of Planning, Baltimore; John Avald, Jeff Hampton and Mohammed Ali Sall, Boston Redevelopment Authority, Boston; Andrew Carter, Dept. of City Planning and Development, Trenton; Alvaro E. Garcia, Dept. of Administration, Milwaukee; Miguel Garcia, Dept. of City Planning and Development, Houston; Steve Hall, Dept. of City Planning and Development, Olympia; Tom Hauger, Strategic Planning Office, Seattle; Mary Kanasis, Boston; Robert H. McNulty, Project for Livable Communities; John Paige, Dept. of City Planning and Development, Chicago; Lee Pollock, Camiros Limited Consulting, Chicago; David Sacks, Dept. of Planning Initiatives, Richmond; Michael J. Soika, Dept. of Administration, Milwaukee; Melissa Sterndament, Susan Foley and Steve Gordon, Community Development Agency, Denver; Darryl Stokesberry, Dept. of City Planning and Development, Minneapolis; Matt Thibodeaux, Planning and Development Dept., Houston; and Robert Vilmer, Dept. of City Planning and Development, Los Angeles.

Linda R. Cox, Director, MAS Planning Center

Copyright 1998
The Municipal Art Society of New York
457 Madison Avenue
New York, NY 10022
(212) 935-3960

Table of Contents

Introduction.....	1
The History of 197-a Planning.....	3
Trends in Community-Based Planning.....	5
Findings.....	8
Recommendations.....	18
The Status of 197-a Plans (Updated May 2002)	24

Introduction

The year is 1991. Revisions to the New York City Charter in 1989 have eased restrictions on community boards developing Section 197-a plans for the “development, growth, and improvement” of their neighborhoods. The City has advanced from paying lip service to 197-a plans in the 1980’s, to mandating rules and mechanisms to guide 197-a plans through the planning and review process, assuring greater chance of their final adoption. Despite concerns by community advocates that the “Rules for the Processing of Plans Pursuant to Charter Section 197-a,” promulgated by the City Planning Commission under the 1989 Charter will render 197-a plans powerless, they hold promise as the only community-based plans officially recognized by city government.

Fast forward to 1998. It’s been nine years since Charter revision. Five 197-a plans have been approved and adopted as city policy during this period; five more plans have been submitted and are currently undergoing review; and another five are in the planning stage. One plan has been submitted and withdrawn in the face of opposition. The current status of 197-a plans is listed on page 24.

While it is too early to determine the long-term effect of 197-a plans on New York City neighborhoods, it is not too early to notice significant problems emerging in the 197-a planning and review process. Scarce and inconsistent resources, limited dialogue between communities and city government, disputes among different community interests, and public sector indifference threaten to undermine the potential this Charter-mandated community planning tool has for shaping future development in New York City.

On the other hand, 197-a planning has achieved some important benefits, not only as a land-use planning tool but as a community building mechanism. The Bronx Community Board 3 plan influenced higher density housing redevelopment in the Bronx, as reflected in the Melrose Commons Urban Renewal Plan. The Department of City Planning is currently preparing zoning map changes which set densities for new housing development in Chelsea at levels that are acceptable to the local community, following intense negotiation with Manhattan Community Board 4 on the Chelsea Plan. The 197-a planning process in Red Hook led to more inclusive community representation on Community Board 6 and positive community activism on a range of issues.

The Municipal Art Society's Planning Center has undertaken this evaluation of 197-a plans to determine what changes or improvements can be made to the planning and review process that will result in more effective neighborhood plans and ultimately more meaningful planning for New York's future.

The Planning Center has conducted workshops on 197-a planning and written a how-to guide to the 197-a planning process, "*Planning for Common Ground: How to Create a Neighborhood 197-a Plan.*" This analysis and the ensuing recommendations stem from our own knowledge of 197-a plans, direct experience assisting Brooklyn Community Boards 1 and 7 with their plans, and focus group meetings and interviews with city officials, planning consultants and community leaders that have participated in or are currently engaged in 197-a planning efforts. We have also compared 197-a planning with other community planning initiatives throughout the country, including the foundation-sponsored, community-driven Comprehensive Community Revitalization Program (CCRP) here in New York. In addition, we examined the neighborhood planning approaches of other cities in the United States, such as Seattle, Minneapolis, Richmond, Houston, and Portland, to determine what lessons New York City can learn from these models.

The History of 197-a Planning

Charter Section 197-a plans continue the trend toward decentralized planning in New York City, begun in 1963 when the concept of community boards, developed in the 1950's by Mayor Robert F. Wagner, was written into the City Charter. The new Charter directed the City Planning Commission to divide the city into community districts, each district to be governed by an advisory planning board of community residents appointed by the borough presidents. Revisions to the Charter in 1975 introduced the Uniform Land Use Review Procedure (ULURP), which established the advisory powers of community boards with respect to zoning and land use and -- through mandatory public hearings -- brought citizens into the planning and development arena. The 1975 Charter also introduced the possibility of officially recognized community-initiated local planning under Section 197-a. This denoted a significant departure from comprehensive citywide master planning previously required under the Charter. More importantly, Section 197-a provided the opportunity for community boards and groups to adopt a proactive role in planning and land use in New York City, rather than always being in the position of responding to private and public development proposals.

While New York City has had a rich tradition of community-based planning since the 1960's, primarily through the efforts of community development corporations (CDCs), 197-a plans provided community boards the first opportunity to develop neighborhood plans that were officially recognized by city government.

However the 1975 Charter did not clearly identify the nature of these plans. Despite the promise of 197-a planning, relatively few neighborhoods invoked the provisions of the Charter, and those that did encountered substantial obstacles. As a result, it took twelve years before the first community-sponsored 197-a plan was submitted to the City.¹ The Chelsea plan originated in 1986 with a study commissioned by Manhattan Community Board 4, in response to rezoning and development pressures that threatened significant displacement and loss of neighborhood character. The resulting 197-a plan, filed in 1987, proposed specific zoning changes that would preserve the existing scale of the neighborhood. However, since the plan focused on zoning map changes, the Department of City Planning determined that it would require extensive environmental review -- beyond the financial capabilities of the community board -- before it could be approved.

¹ The original Waterfront Revitalization Program, a 197-a plan sponsored by the Department of City Planning, was adopted in 1982.

The Chelsea plan stalled until the 1989 Charter revision shifted the burden of environmental review from community boards to the Department of City Planning. It was resubmitted in 1994, after extensive additional documentation, and approved with modifications in 1996. Another plan, prepared by Bronx Community Board 3, was submitted in 1989, just prior to the new Charter. In 1992 it became the first community-sponsored 197-a plan to be approved and adopted by the City Council.

In addition to removing certain obstacles for community boards engaged in 197-a planning, the 1989 Charter moved to clarify the 197-a planning, review and approval process. It specifically required the City Planning Commission to adopt rules establishing minimum standards for form and content as well as a procedure and schedule for review, similar to that of ULURP.

The 1989 Charter revisions, developed through a broadly inclusive process, held promise for community leaders and organizations advocating for more forceful 197-a plans. In developing its rules, however, the City Planning Commission interpreted the Charter to mean that 197-a plans should merely serve as "...policy to guide subsequent actions by city agencies" and be considered by the Commission in its review of land use and zoning actions. The Community Planning Coalition, a group of citywide organizations committed to ensuring greater community control over land use and zoning under the revised Charter, claimed that the "*Rules for the Processing of Plans Pursuant to Charter Section 197-a*," adopted in 1991, rendered 197-a plans powerless. The Coalition argued that if these plans required what essentially amounted to ULURP and were ultimately adopted by the City Council, they should lead to implementation and be supported by the force of law. The debate on the force and effect of 197-a plans continues to this day.

Trends in Community-Based Planning

While New York City has struggled to make 197-a planning effective, other cities in the United States have surged forward in their efforts to engage citizens 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 over the past decade in the United States, 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. They include asset-based comprehensive community initiatives (CCIs), largely sponsored by private foundations, such as the Annie E. Casey Foundation's Rebuilding Communities Initiative launched in 1993, the Ford Foundation's Neighborhood and Family Initiative launched in 1990, and the Surdna Foundation's Comprehensive Community Revitalization Program, launched in the South Bronx in 1992. They also include federally funded university/community partnerships such as the East St. Louis Action Research Project -- a collaboration between the University of Illinois at Urbana-Champaign and the Winstanley/Industry Park Neighborhood Organization in East St. Louis -- and a whole range of community-building initiatives combining public, private and community resources such as the Sandtown-Winchester Community Building Partnership in Baltimore, President Jimmy Carter's Atlanta Project, and Oakland's Urban Strategies Council.

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.

What many community-based planning initiatives also share is a notable lack of involvement on the part of the local planning department and other city agencies. After all, privately sponsored initiatives and community partnerships such as these often develop in response to a lack of planning and coordinated service delivery on the part of local government. They have actually taken over many of the local planning functions in some cities.

In recent years, however, government has begun to sponsor comparable planning efforts, ranging from the federal empowerment zones to a variety of state and local

initiatives. A number of cities, including the six referenced below, have embraced comprehensive, community-based planning as a model for coordinated 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.

Seattle's Neighborhood Planning Office (NPO) was created by a Resolution of the City Council, following the adoption of Seattle's Comprehensive Plan in 1994. The NPO began operation in January 1995. It is responsible for providing technical assistance and planning funds to eligible neighborhoods as they undertake a two-phase comprehensive planning process. Eligible neighborhoods include Seattle's five Urban Centers and two Manufacturing/Industrial Centers, as well as neighborhoods with urban villages or "distressed" areas identified in the Comprehensive Plan. The final product of this planning process is an Approval and Adoption Package, specifying detailed recommendations and the governmental decisions and actions needed to carry them out. The enormous response to this initiative -- up to 37 plans have already been submitted -- offers important lessons in terms of prioritizing and managing neighborhood planning efforts.

Minneapolis's Neighborhood Revitalization Program is defined as a partnership between residents, government and the private sector. It was established in 1990 by the Minnesota Legislature and the City Council with a funding level of \$20 million per year for twenty years, generated from Tax Increment Financing. NRP funds serve as "start-up" money and are used to leverage further resources for neighborhood revitalization. The program is premised on neighborhood-based planning and priority setting and a belief that "the empowerment of residents and the mobilization of untapped resources, energy and creativity" can lead to successful revitalization efforts.

The City of Houston's Planning and Development Department has a Neighborhood Planning Partnership Program that offers a variety of planning services and resources to communities requesting assistance. In cooperation with other city departments the PDD lends coordination and technical assistance to communities in their organizing, targeted planning and long-term comprehensive revitalization efforts. PDD staffmembers work closely with the community as part of a project team, facilitating workshops and providing training. Implementation of the revitalization plan, once it has been approved and adopted by the community, is largely dependent on the community's ability to promote the recommendations.

The Department of Community Development's Division of Neighborhood Planning in Richmond, Virginia collaborates with residents, property owners, businesses, institutions and other city agencies to develop revitalization plans for specific neighborhoods that will serve as amendments to the City of Richmond Master Plan. Once endorsed by the community and approved by the City Planning Commission and the City Council, neighborhood revitalization plans are used to review and guide local development proposals.

Milwaukee's Neighborhood Strategic Planning initiative (NSP) funded with Community Development Block Grant money and administered under the City's Department of Administration, serves as the mechanism for the development of comprehensive, community-based, long-term strategic plans for 17 planning areas in the City of Milwaukee. While the planning process in each area is community-driven (with leadership drawn from the local population), it draws on the expertise and resources of city agencies and their staff. City agencies are in fact mandated to be involved in the planning process in order to coordinate municipal services with neighborhood initiatives.

Portland's Community and Neighborhood Planning Program (CNPP), approved by the City Council in 1994 and administered by the Bureau of Planning, is the primary vehicle used by the City to update its Comprehensive Plan Map. The CNPP divides the city into 8 planning districts and provides for the development, through a participatory planning process, of comprehensive neighborhood and community plans for each district. These plans not only address the immediate and long-range problems and opportunities within Portland's neighborhoods but also serve to link these neighborhoods to ongoing long-range regional and citywide planning efforts. The Portland Bureau of Housing and Community Development provides funds for neighborhood planning, and neighborhood planners at the Bureau of Planning's Community and Neighborhood Planning Section provide technical assistance and support.

Although New York City pioneered decentralized planning in the 1960's and 1970's it has not followed through in its commitment to neighborhood planning to the extent these cities have. Granted, they are all much smaller than New York City, with fewer complexities in terms of land use and development. Their neighborhood planning efforts are also relatively young, with few demonstrable long-term successes. Yet these cities and others such as Chattanooga, Trenton, Columbus, Chicago, and Austin suggest the potential for government/community partnerships in planning.

Findings

1. Community boards are the primary sponsors of 197-a plans...

Although the Mayor, borough presidents, borough boards, community boards, the City Planning Commission, and the Department of City Planning may sponsor 197-a plans, community boards have sponsored nine of the eleven 197-a plans submitted under the 1989 Charter.² The Manhattan Borough President and the Department of City Planning sponsored the remaining two, the Comprehensive Manhattan Waterfront Plan and the New Waterfront Revitalization Program, respectively. The high number of community-initiated plans reflects the continuing efforts of New York City communities to address local issues that they feel are not being addressed by city government, and their resolve to exert influence over public and private development in their neighborhoods. Contrary to fears that community boards in low-income neighborhoods would not participate in 197-a planning, they have become the most active sponsors of 197-a plans. They have also tended to use 197-a plans to advance comprehensive community development goals and objectives, rather than focus merely on land use policies.

2. ...but community boards are generally ill equipped to undertake and promote these plans.

As things stand, community boards are not in a good position to undertake 197-a plans. They are already understaffed and underfunded, and lack the technical expertise to develop a workable plan that complies with threshold standards. In many instances they also lack the leadership and negotiating skills to mount a successful collaborative planning effort.

Community boards were originally set up as advisory bodies. Their primary task since the 1975 Charter revision has been to review and respond to land use proposals initiated by developers and public agencies, through the ULURP process. They also advise on capital and expense budget procedures and the delivery of municipal services. Since 1975, however, community boards have also been granted the right to develop 197-a plans. This has moved them from a reactive role to a more proactive planning role, requiring different skills and additional resources.

² The Plan for Bronx Community Board 3 was submitted in 1989, prior to Charter revision, but had to wait until the 197-a rules were written before being reviewed by City Planning.

Unfortunately, their added rights and responsibilities with regard to planning have not been accompanied by additional staff or funding, despite the 1989 Charter provision for community boards to hire planners and consultants. Lack of planning experience as well as financial resources places community boards, particularly those in the more distressed areas of the city, at a distinct disadvantage in terms of effectively engaging in a 197-a planning process, and promoting the plan or monitoring compliance with the plan once it has been adopted.

Community boards draw on a patchwork of technical resources, both public and private, to assist them in plan preparation. The Department of City Planning, while often perceived as a non-participant, has in fact provided substantial information and technical assistance in most of the plans that have been adopted. Bronx Community Board 3, for instance, benefited from the services of a staff person in the initial data collection phase, and a liaison planner worked closely with the community on the Red Hook Plan. City Planning also provided extensive assistance updating the Chelsea Plan in the process of resubmission after the 1989 Charter revision. However, the continuing impression in communities and among those engaged in 197-a planning is that direct assistance from City Planning has not been widespread or uniform.

Some borough presidents have also supported 197-a planning efforts, through financial contributions and, in some cases, direct technical assistance. The Manhattan Borough President, for example, contributed financial resources to the Chelsea Plan and provided funds for a planning consultant to work on the Manhattan Community Board 10 Plan for Central Harlem. The Brooklyn Borough President's Office assisted Community Board 2 in collecting data for the "Old Brooklyn" Plan and Community Board 7 in the first stages of a plan for Sunset Park.

More often, community boards have sought out private planning consultants and university planning programs for assistance. Even though consultants have provided services at a reduced rate, they still cost money. And, while planning students are able to provide services for less, they work under strict academic time constraints. Students generally do not have the experience or the technical skills necessary to facilitate the planning process and develop a complex planning document. While it is valuable to include students so that they gain certain skills and insights, their work is best used to provide supporting information – field surveys and targeted studies – and generate fresh ideas.

Whatever the source of assistance, it tends to be piecemeal, prolonging and complicating the process. In addition, while consultants and academic institutions can help prepare plans, they are generally not around during the critical period after the plan has been adopted, to assist in promoting the plan, engaging in negotiations with city agencies and monitoring compliance. These tasks fall primarily on the shoulders of the community board, although borough presidents' offices sometimes

help. Unless community boards have a strong capacity to negotiate with city agencies, their plans are likely to go unrealized. Turnover in staff and board leadership can also have serious consequences in terms of diminished attachment to, and lack of support for the plan.

3. Despite reforms in the 1989 Charter, 197-a planning continues to face considerable obstacles.

Revisions to the New York City Charter in 1989, resulting largely from community pressure for greater control over planning and land-use decisions, raised expectations that 197-a plans would be easier to undertake, carry more weight, and have greater potential for implementation. The revised Charter expanded the role of community boards in establishing budget priorities and mandated district and borough-level consultations between community boards and city agencies. It also removed major obstacles to community-based planning by (a) no longer requiring community boards to undertake onerous and costly environmental impact assessments as part of their 197-a planning effort, and (b) including provision for community boards to hire planners and consultants to provide the support and technical assistance they would require to fulfill their expanded Charter obligations.

However, the City has never followed through in allocating financial resources for professional planning assistance, despite frequent requests from community boards. And, while the burden of environmental assessment has been lifted, the City Planning Commission's rules for the processing of 197-a plans, establish standards for form and content that community boards find hard to satisfy, both in terms of technical skills and financial resources.

Many of the structural problems that plagued communities undertaking 197-a plans prior to the 1989 Charter revision persist today, including lack of funding; limited technical assistance and support from city government; the contradictions of a bottom-up planning process that is ultimately dependent on top-down decision making; and indifference on the part of city agencies with regard to fulfilling community goals and objectives. These and other difficulties have led to a growing dissatisfaction with 197-a planning and reluctance on the part of some community boards and groups to enter into a long and arduous process that they feel is less and less worthwhile. On the other hand, communities have also become more realistic in their expectations for 197-a plans and see the value of other community-based planning initiatives. The Comprehensive Community Revitalization Program's "Quality of Life Physical Plans" in the Bronx, for example, hold greater promise in terms of implementation, even though they have no official recognition. This foundation-sponsored, CDC-led initiative focuses on developing partnerships and implementation strategies that ensure specific outcomes. And some business

improvement districts (BIDs), while not strictly planning initiatives, seem more effective than 197-a plans in advocating what should happen in a particular area and more successful in getting the attention of city agencies. The Department of City Planning has also followed through on issues or opportunities identified by the community, developing plans for such areas as Downtown Flushing, Long Island City, the Aqueduct, and Lower Manhattan.

4. In spite of their limitations 197-a plans have yielded important benefits for some New York City communities as well as city government.

While it is too early to evaluate the long-term impact of 197-a plans on New York City neighborhoods, some communities that have undertaken these plans have already benefited in both tangible and less tangible ways, merely by going through the planning and negotiation process.

The Chelsea Plan for instance, led to intense negotiations between Manhattan Community Board 4 and the Department of City Planning on zoning recommendations that establish densities for new housing development at levels that are acceptable to the local community. A 197-c zoning change that already has broad community support is currently being prepared for the area.

The Bronx Community Board 3 Plan helped shape thinking about proper densities for housing redevelopment in the Bronx. While its aims were undermined by development that occurred while the plan was pending, it nevertheless provided the context for decisions about housing density in the Melrose Commons Urban Renewal Plan, adopted in 1994.

Manhattan Community Board 6 was already pursuing several activities related to its waterfront when it decided to initiate a 197-a plan for Stuyvesant Cove, to ensure broad-based, long-run support for its plan. Having recently witnessed the withdrawal of “Riverwalk,” a large-scale, mixed-use platform development proposed for the site, the community board was able to get the NYC Economic Development Corporation (EDC) to sponsor an application for Federal ISTEA funding to prepare a Master Plan for the Stuyvesant Cove waterfront. This application was pending when the board submitted its 197-a plan in 1995. When ISTEA funds were eventually approved, the 197-a plan served to provide an officially recognized community-supported context for EDC’s expenditure of efforts and resources in developing Stuyvesant Cove. The working relationship established between Community Board 6 and EDC has further assisted the implementation of the waterfront plan. Backed by the plan, EDC was able to persuade State DOT, which used Stuyvesant Cove as a staging area during the reconstruction of the FDR Drive, to provide \$1 million for site restoration towards the community’s plan rather than

construct to its own in-house design. EDC has continued to sponsor additional grants and applications for construction funding. The agency anticipates initiating construction of the first two phases of the Stuyvesant Cove project in Spring 1999.

197-a plans have also drawn community boards into a broader and more representative relationship with the community. The 197-a planning process in Red Hook led residents from Red Hook Houses, who comprise over 80% of the community, to obtain representation on the 197-a Sub-Committee of Community Board 6 and have their concerns included in the 197-a plan. Even though the process was painfully difficult and fractious at times, preparation and promotion of the plan ultimately led to a greater sense of community and a greater understanding of development issues in Red Hook. And, while Brooklyn Community Board 1 provided leadership through the Chair of the Waterfront Committee, the Williamsburg Waterfront 197-a Plan was prepared almost entirely by community residents and representatives of local community organizations.

In some instances the planning process has served to build community by establishing community networks, developing local leaders, facilitating a proactive dialogue, and focusing attention on community assets as well as needs. Community organizing efforts growing out of the Red Hook 197-a planning process led to the formation of the Red Hook Banking Committee, charged with compelling banks to live up to their Community Reinvestment Act obligations. These efforts resulted in the opening of Red Hook's first full-service bank branch in 1997. In opening the Red Hook branch the bank pointed to the renewal potential offered by the 197-a plan.

More than anything, 197-a plans provide the opportunity for expanding civic participation in local government beyond the narrow confines of citizens advisory committees or ULURP. Intense community debate on the Williamsburg Plan served to communicate the issues, needs and desires of diverse local communities to elected and city officials. As one observer pointed out "...it's not only the document that's useful, it's the history of the discussions -- you learn what people want and what they can live with." While seldom directly acknowledged, 197-a plans, expressing local views and concerns, benefit the City by presenting a countervailing force to developer-driven decisions and actions.

Finally, local and citywide interests both benefit from the fact that there is a document that lists or relates all the disparate proposals, plans, and actions in a particular community district in a coordinated, integrated fashion.

5. 197-a planning has not sufficiently engaged city agencies to have any meaningful impact on their actions.

One of the major impediments to fulfillment of 197-a plans is that there is no central mechanism in city government for connecting these plans to the actions of city agencies apart from the Planning Commission. Granted, 197-a land use recommendations can lead to the development of binding 197-c zoning actions by the City Planning Commission, as in the Chelsea Plan, but there is no assurance that other city agencies will implement recommendations unless they feel it is in their real interest and part of their central mission. In our discussions with a broad range of people engaged in neighborhood planning in New York City, many observers argued for creating a more central coordinating role for the Department of City Planning with respect to the actions of other agencies, and increasing its role in the city's capital budget. To some extent the Department of City Planning and the City Planning Commission already play a central role, by consulting with affected city agencies before approving any plan. This does not guarantee implementation however, especially if there is funding involved. While they are urged to consider 197-a plans, city agencies are not mandated to do so under the City Charter and there is no formal implementation system.

On the other hand, most community boards and groups do not go out of their way to engage city agencies in the planning process from an early stage, despite being encouraged by City Planning to do so. They regard their plans as an opportunity to confront city policies and practices and present alternatives, but in so doing neglect the opportunity to gain acceptance for their alternatives. Several participants in our discussions commented on the value of involving middle management in community-based planning. Some of the most informative meetings in the development of the CCRP plans, for example, involved mid-level agency staff who had a genuine interest in the community.

While City Planning has sponsored several collaborative neighborhood planning initiatives, other city agencies have little experience with, or sensitivity to, this form of planning. There are some exceptions, however, which may provide valuable lessons for agency/community collaboration in New York City. The Department of Housing Preservation and Development recently funded a consultant team to work with the community board, the Cooper Square Committee and representatives of each Council member, in determining the reuse of buildings and vacant property in the Cooper Square Urban Renewal Area. Another innovative example, the Melrose Commons Urban Renewal Plan, was developed through a collaboration involving city agencies, community residents, elected officials and consultants.

6. There continues to be broad disagreement and misconception regarding the purpose and power of 197-a plans.

Major differences between New Yorkers advocating for greater public accountability and community empowerment and the City's view of 197-a plans as advisory policy documents continue to frame the 197-a planning process and influence its outcomes.

Despite language in the "*Rules for the Processing of Plans Pursuant to Charter Section 197-a*" that clearly states that [an] "adopted plan shall serve as a policy to guide subsequent actions by city agencies..." some people regard 197-a plans as legally binding documents that will automatically be implemented by city agencies once they have been approved.

Misconceptions with regard to the purpose and power of 197-a plans have led communities to spend time and resources developing a 197-a plan when the more appropriate tool was a zoning action under ULURP, an economic development plan, or a more targeted neighborhood services plan. The same misconceptions have led communities to develop recommendations to unwarranted levels of specificity, that may never pass threshold review and, if they do, may never be implemented.

7. Communities underestimate their role in plan implementation.

After pouring tremendous time and energy into assembling a 197-a plan, people tend to regard the completed plan as the final product or, in one planner's words, "the trophy." Others may cite the process of plan preparation, more than the product, as the chief gain. Under-attention to implementation -- what happens to the plan after it has been adopted -- is a failing in both cases. In the first instance, there is no guarantee that once adopted, the plan will be picked up and implemented, or even acknowledged, by city agencies. In the second instance, the planning process is merely the beginning of a long-term community building continuum. Community involvement after the plan has been adopted -- in terms of advocating for implementation, monitoring compliance and gaining successes, however small -- is equally as important as establishing a community dialogue and a common vision.

We believe that the community's role in plan implementation must be emphasized. Community boards and groups must recognize that the force and power of their plan lies in the degree to which they can mobilize support from within the community and from elected officials. Implementation of their plan -- whether it leads to lower density development, a healthier environment, or improved services -- depends on their ability to continuously and vigorously advocate on its behalf and prevail upon the relevant city agencies to incorporate recommendations in their programs and capital projects.

8. Widespread inexperience in participatory planning practice hampers 197-a planning.

Public participation is essential to 197-a planning, yet inexperience in collaborative problem solving and consensus building and in mediating competing interests has led to frustration, delays, and conflict within and among communities and between communities and city government. Many people, including, in some instances, those leading the planning effort, lack experience or interest in this form of planning. Rather than bringing people together to plan for their common interests, the 197-a planning process has sometimes succeeded in driving communities apart. Consensus building taken to the extreme in other cases, has resulted in recommendations that are either too general or in conflict with one another.

Participatory planning and consensus building require extensive organization and coordination, a willingness to listen and learn from each other, and a great deal of patience. This approach to planning requires a significant shift in attitude for many people accustomed to working in government hierarchies, or responding to complaints and proposals at the community board, or organizing at the grassroots. Those coordinating the effort require mediation skills and the ability to negotiate effectively with city officials and outside interests.

9. 197-a plans take too long to prepare and move through the review and approval process.

Planning is a notoriously slow process, but 197-a plans have often stretched beyond effective practice. Most have taken more than two years to prepare. The Williamsburg and Greenpoint 197-a plans, just submitted to the Department of City Planning, were initiated in 1989. The Chelsea Plan, initially filed in 1987, emerged as an approved plan in 1996.

Delays during plan preparation result from lack of funding, inexperience, lack of focus, competing community interests, and encroaching issues that require the community's immediate attention. To a large extent, however, delays are caused in satisfying the City Planning Commission's standards for form and content, both during plan preparation and threshold review. Data are not always readily available and it takes time and resources to undertake more detailed surveys and analyses where these are required.

The review and approval period also consumes substantial time. Much of the negotiation between the community and City Planning, as well as other city agencies, takes place then rather than during plan preparation. These negotiations may require

substantial amendment to the plan and additional supporting documentation, all of which take time. The four adopted community plans took two years, on average, from submission to final adoption, although the Bronx Community Board 3 plan took far longer because it waited two years until the rules for preparing 197-a plans were completed. The plan for Little Neck/Douglaston, submitted in 1994, has only just come out of threshold review.

Changes in leadership at the community board can also lead to substantial delay. The plan for Central Harlem was completed in 1994. As a result of leadership changes at Manhattan Community Board 10 and disagreement over proposed changes to the plan, it has not yet been submitted to City Planning.

Obviously, different circumstances have led to these delays but the collective experience has been that the longer it takes to complete a 197-a plan, the greater the level of frustration, loss of interest, and potential for increased conflict in the community. As important, excessive delay in attaining an officially recognized document can cost local communities the opportunity to promote certain development when the chance arises, or counter encroaching negative development that is inconsistent with their vision. Delays in preparing the Williamsburg Waterfront Plan weakened the community's ability to lobby against expansion of waste transfer operations on the Brooklyn Eastern District Terminal site and advance alternative proposals for that site.

10. 197-a planning is severely limited by insufficient funding.

Plans do not come cheap. It costs money to conduct effective outreach, assemble information, conduct surveys, facilitate community forums and workshops, and develop and distribute documents. While the City Charter makes provision for the development of community-initiated 197-a plans, New York City has not been forthcoming in funding these. Community board budgets have declined since 1989, despite their added responsibilities. City Planning itself has suffered from a shrinking budget and loss of personnel, including many planners working as liaisons to community boards.

While the Mayor's Office, City Planning, and borough presidents can draw on their own resources to undertake 197-a plans, community boards and groups rely exclusively on uncertain funding from elected officials, private corporations, foundations. The city's more disadvantaged communities, which perhaps stand to gain the most from 197-a planning, have an even greater need for funding because they cannot draw on the same level of technical expertise and financial resources that are present in more affluent communities. Despite support from foundations and elected officials, community-initiated 197-a plans remain seriously underfunded.

Equally damaging is the fact that money has to be raised in a piecemeal fashion, resulting in uncertainty and delays. It took over two years for Bronx Community Board 3 to raise \$15,000 to hire a consultant in the mid-1980's. The plan ultimately cost \$20,000, with an additional \$10,000 of pro-bono assistance provided by the Consumer Farmer Foundation. Funding for the Williamsburg and Greenpoint plans was pieced together from a foundation grant and city funds secured by Councilman Ken Fisher. The total amount of \$50,000 covered a mere fraction of the cost of thousands of hours of professional assistance and extensive technical resources applied to both plans. Brooklyn Community Board 7 is currently struggling to raise \$30,000 to fund a planning consultant for the Sunset Park Plan, to continue work begun through a largely pro-bono effort.

Insufficient funding for 197-a plans has placed heavy reliance on pro-bono professional assistance and community volunteers, hampered the planning process, and resulted in substantial delays. As discussed in the previous finding, delay is disastrous for 197-a plans because it leads to loss of community interest, frustration, and disillusionment, and undermines the relevance of the plan to pressing land use proposals.

Recommendations

These recommendations are intended to capture the advantage of 197-a plans -- primarily their role in influencing city policy -- while encouraging collaboration between local communities and central government in fulfilling community goals and objectives.

1. Base 197-a planning on a working partnership between local communities and city government.

New York City should alter its approach to 197-a planning. In order for 197-a plans to be meaningful to local communities they must hold promise of fulfillment through city agency projects and programs. And in order for them to be useful to the city as policy guides, they must gain greater recognition and “buy-in” from city agencies. This will require re-orientation on the part of all those involved in 197-a plans, from community boards and groups to the City Planning Department and Commission, the City Council, and other city agencies. It will require communities and city government to enter into a partnership, based on dialogue, collaboration and negotiation, that results in recommendations that everyone can sign on to.

Some may question whether a central planning agency can get involved with community-based planning and still be true to its citywide outlook and whether communities will be so compromised by working with city government that their demands are weakened. We would argue that there is substantial benefit to be gained from a dialogue between City Planning and local communities that links citywide and local perspectives. In those situations where dialogue seems impossible 197-a plans may not be the most appropriate direction in which to go, at least not initially. However, there may be more instances than people recognize when open dialogue and debate on specific issues and problems yield more areas of agreement than expected, both among diverse communities and between communities and city government.

2. Establish a “planning team” to build on locally defined goals and objectives and develop specific recommendations for the 197-a plan.

A government/community partnership might be achieved, once the community has defined its goals and objectives, by establishing a broadly inclusive “planning team,”

comprised of representatives from the community board, community-based organizations, elected officials, City Planning and other relevant city agencies. The planning team would be charged with assembling and analyzing relevant data and moving the community's goals and objectives toward broadly accepted recommendations. Planning consultants would facilitate the process, provide additional technical assistance, and help put the final plan together. The use of consultants would add a "third-party" impartial voice and could speed up the process.

City agencies should take part, by providing relevant data and access to staff with technical expertise and decision-making authority. Participation by middle management would engender more give and take about conditions and feasible solutions at an early stage rather than during review. 197-a plans also provide an opportunity to nurture inter-agency coordination.

Apart from engaging city government, 197-a plans must engage the organizations and groups within the community. In addition to fears of compromising their position by working in partnership with city government, community-based organizations may be reluctant to participate on a 197-a planning team if they feel that the community board does not represent the community. They should realize that they too have a responsibility to make this process work. The 197-a process, when successful, has typically drawn community boards into broader contact with community organizations, including ones with whom they have been at odds.

3. Adopt a two-phase approach to 197-a planning, with Phase 1 resulting in the establishment of community goals and objectives, and Phase 2 resulting in detailed policy recommendations.

One effective way for community boards to institute a "team approach" is to undertake a two-phase planning process:

Phase 1 would involve broad community participation in identifying community assets, issues and needs; establishing a common vision; and defining community goals and objectives. It would require minimal city agency involvement and allow for the rapid disclosure of community concerns and aspirations. Clearly defined goals and objectives would provide a basis for the community board and City Planning to determine whether a 197-a plan is the most appropriate way to proceed, or whether the community board should consider another planning tool or action.

Phase 2 would build on the community goals and objectives established in Phase 1 and include collection and analysis of the information required to develop broadly accepted policy recommendations. This phase would involve city agencies working

with the community in a collaborative process, as part of the “planning team” described in Recommendation 2.

4. The Department of City Planning should make data more readily available and assign trained staff to the 197-a planning team.

Compliance with City Planning’s detailed threshold requirements and emphasis on technical information gathering not only sap the energy and resources of communities engaged in 197-a planning, they prevent community residents from focusing on the more crucial and unique role of identifying community needs and aspirations and developing a consensus on the means of achieving common goals and objectives.

City Planning’s excellent “*197-a Plan Technical Guide*”, published in 1997, provides important information and advice on plan preparation and review. It clarifies threshold standards and specifies the level of technical information that the agency will provide upon written request. But there is still confusion on the part of community boards as to the level of technical information required and how to get it. Although City Planning provides technical assistance and data, these are not packaged in a way that allows community boards to know what they can count on. Cities such as Seattle and Minneapolis have developed much more user-friendly resources for similar neighborhood planning efforts. They include a detailed “profile” of each neighborhood, with maps and demographic information; a “tool box” explaining zoning ordinances and planning terminology; training videos; a web site, with a step-by-step explanation of the planning process and information required; and staff assigned to communities to assist them in their planning efforts.

5. Increase funding for 197-a planning.

We recommend increased funding for 197-a planning, whether this is used to hire a planner on the community board, retain consultants, or support a local CDC that is leading the planning effort. In addition, we recommend that the City Planning budget be increased to add neighborhood planning staff at the Department of City Planning, who will assist community boards and groups in preparing 197-a plans.

Funding should support both phases of the two-phase planning process described in Recommendation 3, as well as post-adoption monitoring, advocacy and negotiation on the part of the community board. There is broad agreement among neighborhood planning practitioners that city budget dollars should go to community boards to increase their capacity in this regard. Not all community

boards would need to be funded simultaneously, only those preparing 197-a plans. Elected officials and City Planning should play a role in determining selection priorities and assuring that they are funded. Targeted funding to ten community boards a year would cost in the region of \$1 million.

Finally, foundation and bank support should be directed toward facilitating effective community participation and building the capacity of community organizations to engage in 197-a planning. CDCs and other community organizations figure prominently in the planning realm. Support for their capacity building and planning activities is warranted, especially in communities with few resources. This may seem less directly useful than services or more tangible brick and mortar projects, but it can pay off in long-term development.

6. Simplify threshold standards for form and content.

197-a plans must take a much shorter time to complete -- one to two years, as opposed to five to ten years in some cases -- to have any hope of galvanizing the community and retaining their relevance. Obviously greater resources are needed to accomplish this. But there could also be a de-emphasis on technical standards required to satisfy threshold review. As purely advisory documents, 197-a plans certainly do not warrant the present rigorous levels of information gathering and review implied in the rules. On the other hand, some community boards have developed plans to an extraordinary level of detail, far above that prescribed by City Planning. The Department has, in fact, repeatedly urged communities to propose broad principles and guidelines requiring lower levels of data, and focus on the issues of greatest importance rather than develop a long and extended "wish list." One way of avoiding this problem is for City Planning to provide each community preparing a 197-a plan with a base level of data that everyone can agree to, that can be augmented by additional surveys and supporting information if necessary. Information presented in the 197-a plan should provide just enough specificity to document the problems addressed and justify proposed solutions.

7. Develop skills in community-based planning and encourage dialogue among all participants in 197-a plans.

While the Department of City Planning has provided New Yorkers with a technical guide to 197-a planning, many participants still don't know how to undertake a community-planning process and how to work collaboratively.

Workshops that focus on community planning practice, and engage community residents and business owners, as well as representatives and staff of community boards, elected officials, and city agencies, would increase opportunities for dialogue and enhance 197-a planning efforts in New York City. This training might best be provided through a briefing, facilitated by consultants or organizations specialized in community-based planning, for all participants, including agency staff, prior to proceeding with a 197-a plan. In addition to teaching listening, collaborative problem solving, and negotiating skills, training would be most valuable if it clarifies what everyone should expect from the process and opens up broader perspectives on citywide and regional issues, such as transportation and environmental sustainability.

8. Community boards and groups must view the 197-a plan as only one of several planning and land-use tools available to respond to neighborhood issues.

As community boards increasingly recognize, they must be clear on what they want to achieve before embarking on what could be a laborious 197-a planning process. There are sometimes better ways of dealing with neighborhood issues such as zoning, affordable housing, youth and health services. This decision-making may be facilitated by the two-phase planning process described in Recommendation 3.

While 197-a plans have the advantage of greater recognition as officially adopted policy documents, other community-based plans, which do not require the same level of detail and scrutiny, could form the basis of subsequent more formal planning actions such as a binding 197-c rezoning action, or simply guide future decisions by the board. These plans would be simpler, less time-consuming and less costly to produce. They would convey the community's ideas quickly, without draining everyone's energy and resources.

9. Community boards must promote their plan on an ongoing basis and constantly monitor development activity in relation to the plan.

One of the major concerns regarding 197-a plans is that once a plan has been approved and adopted, it will languish for years on somebody's shelf. Community boards cannot compel mayoral agencies to act on any of their proposals. Rather than consider their plan powerless, however, communities should capitalize on the opportunities that exist under the City Charter for negotiation between community boards and city agencies, with respect to budget priorities and agency service statements. Community boards should start moving recommendations forward even before their plan is adopted.

This requires a shift in emphasis. The final goal in the 197-a planning process should not be adoption of the plan but rather the long-term use of the plan as a living, working document in negotiations between local communities and city government. Such an approach places an emphasis on strong community advocacy on behalf of the plan and the ability of the community board to effectively monitor compliance with the plan.

It is imperative that community boards put some mechanism in place to ensure that 197-a plan recommendations are considered by city agencies and acted upon in their capital budgets and programs. This could take the form of an oversight committee (perhaps the same committee responsible for developing the 197-a plan) and/or a staff member dedicated to following up and promoting the plan. Borough presidents' offices are well situated to assist in this effort.

10. Tie 197-a plans more closely to the functions of the district service cabinet and to Charter Section 2707 agency budget and service statements. Use 197-a plans to promote inter-agency collaboration.

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 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. As City Planning advises in its technical guide, community boards should capitalize on the 197-a plan to foster linkages among city agencies and focus responsibility for specific recommendations and issues outlined in the plan. They should use the plan as a basis for formal requests for agency service statements.