



# **GOVERNANCE/ LAND USE**

# BOARD OF STANDARDS AND APPEALS

## How It Is Now

- The Board of Standards and Appeals (BSA) has the power to interpret the meaning of the Zoning Resolution, Building Code and Fire Code, Multiple Dwelling Law, among other laws, with respect to the usage of private property.
- The BSA can also grant “relief” from the city’s zoning resolution and other laws. For example, when a developer has a project that does not comply with the zoning resolution, they can take it to the BSA to try to make the findings necessary for the grant of a variance.
- The Board is made up of five members, each appointed by the Mayor and subject to advice and consent of the Council.

## Why Should You Care?

- Some feel that the BSA is unresponsive to objections from communities about new developments.
- Some argue that the BSA is inconsistent in its outcomes, and needs to be better about accountability and responsiveness.

## What Experts and Advocates Are Proposing

- Change the composition of the BSA, possibly by adding representation from elected officials other than the Mayor.
- Establish timeframes for BSA review, or make another change that promotes consistency of results.

# LANDMARKS PRESERVATION COMMISSION

## How It Is Now

- There are more than 36,000 landmarked properties in NYC, most of which are located in 144 historic districts across the five boroughs. There are 1,415 individual landmarks (e.g., the Empire State Building), 120 interior landmarks (e.g., the Rainbow Room), and 11 scenic landmarks (e.g., Central Park).
- The Landmarks Preservation Commission (LPC) is responsible for the designation of landmarks and historic districts throughout the City.
- Together with its staff, the LPC also administers the city's landmark law and protects architecturally, historically, and culturally significant building and sites.
- The LPC must approve any reconstruction, demolition, or non-minor alteration to designated landmarked buildings, and any new construction in a historic district.
- There are 11 commissioners who serve on the LPC, all appointed by the Mayor and subject to advice and consent by the City Council. Other than the Chair, commissioners are not paid.

## Why Should You Care?

- Since the Mayor appoints all commissioners, some argue that this gives the Mayor too much influence over the LPC.
- The Charter requires that the LPC include at least three architects, one historian, one city planner or landscape architect, and one realtor. It does not require that any member be trained as a preservationist. Some argue that requiring a preservationist sit on the LPC would improve their operations.
- The LPC commissioners devote significant time, but aside from the Chair who is salaried, receive no compensation.

## What Experts and Advocates Are Proposing

- Change the composition of the LPC to add members that are appointed by elected officials other than the Mayor
- Require that one or more LPC members are trained preservationists
- Provide a stipend for LPC members

# BOROUGH PRESIDENTS AND BOROUGH-LEVEL GOVERNANCE

## How It Is Now

- When the five boroughs became one city in 1898, the offices of the Borough Presidents (BP) were created to ease concerns that individual boroughs would become less relevant.
- BPs used to sit on the now-defunct Board of Estimate (BOE), which was a powerful city-wide policy-making body that had significant authority in budget, land use, contracting, and other areas. Without the BOE, BPs have limited powers. Still, they don't play nearly the role they used to.



## Why Should You Care?

- Borough Presidents have some legal authority and serve ceremonial roles, but some observers feel the 1989 Charter changes went too far in weakening the office.
- Some see enhancing the role of BPs as a sensible way to strengthen localized government.

## What Experts and Advocates Are Proposing

- Explore new ways to enhance the role of BPs or other borough-level governance, such as increasing BP authority in land use actions and capital budget spending.
- Have BPs make appointments to entities making location-specific decisions.