



What Is ULURP?



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What Is ULURP?

is a guidebook from the Envisioning Development Toolkit Program

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The Center for Urban Pedagogy

(CUP) is a nonprofit organization that uses the power of design and art to increase meaningful civic engagement, particularly among historically underrepresented communities.

CUP collaborates with designers, educators, students, and communities to make educational tools that demystify complex policy and planning issues.

We believe that increasing understanding of how these systems work is the first step to better, more equitable, and more diverse community participation.

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Envisioning Development

is a set of portable, interactive, workshop tools designed to help laypeople and experts communicate. Each tool translates abstract concepts and language into straightforward activities and physical objects that let people learn by looking, doing, and listening to each other.

CUP works with an advisory board of community organizations and land-use and planning experts to determine which topics they most need assistance explaining to their communities. CUP researches the concepts and works in consultation with community partners to break the information down into visual, hands-on, interactive teaching tools. The tools are tested extensively with and by our community partners. They are distributed citywide to a broad range of organizations, who use the tools in their own advocacy and organizing work.

Other tools in the series include:

What Is Affordable Housing? — NYC Edition

What Is Affordable Housing? — Chicago Edition

What Is Zoning? — NYC Edition

What Is ULURP?

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Contents

- 6 **What is ULURP and why does it exist?**
- 20 **Who makes decisions?**
- 38 **What happens when?**
- 68 **How do you get involved?**
- 112 **Using the ULURP Toolkit**

What is ULURP and why does it exist?



ULURP is the way New York City makes sure big land-use decisions that affect the city's neighborhoods get reviewed by the public and approved, changed, or disapproved by decision-makers from the local level to the citywide level.

ULURP can be confusing. But it's one of the ways communities can have a say in the future of their neighborhoods.

This guide will help you understand what ULURP is, how it works, and how you can get involved.

What does it mean?

U

is for
Uniform.

That means that it's always the same process. The maximum number of days it can take is the same for (almost) every ULURP process.

That makes it predictable for everyone, so you know what will happen when.

L U

is for
Land Use.

Only issues related to how land is used in the city go through a ULURP process.

Land use literally means things that involve the use of land—how every piece of land in the city can be used, from what can be built on it to what activities can take place there.

R

is for
Review.

It's a review process. That means the public gets a chance to see the proposal and make comments on it, and that different decision-makers in the city get to review the proposal and vote on it.

Before ULURP, there was no clear way for the public to review land-use decisions. Even though lots of people don't like ULURP, many agree that it's better than not having a process at all.

P

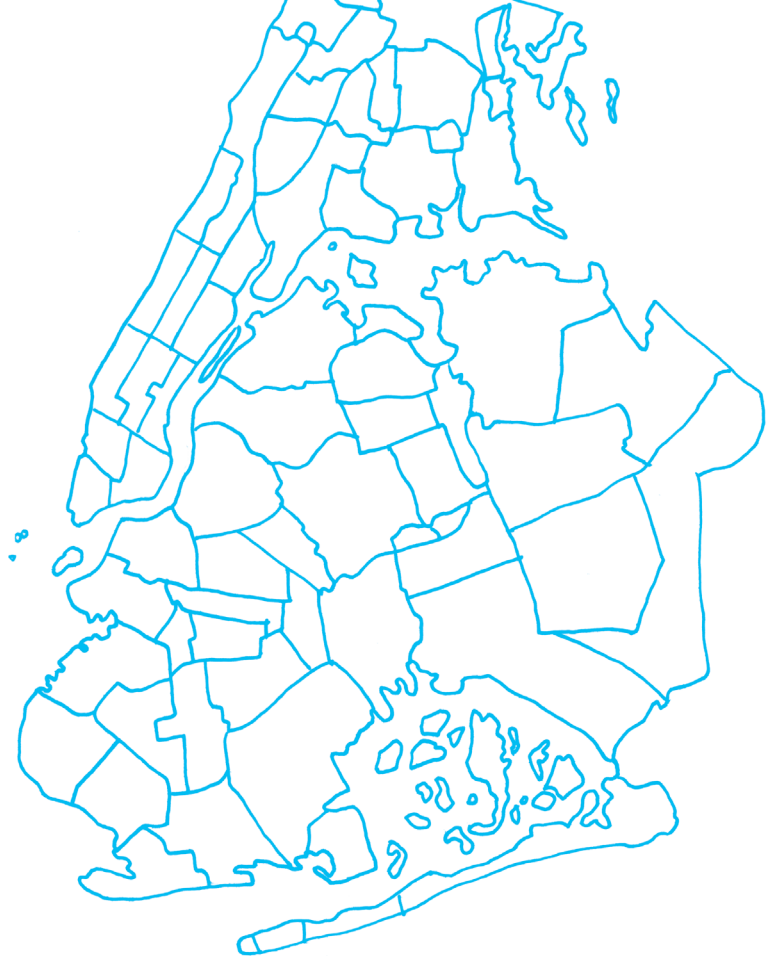
is for
Procedure.

It's not a medical procedure, but some people think it's just as painful. ULURP is a process that follows rules, laid out in the law, requiring certain steps to be completed in a specific number of days. That's the procedure.

Now you know what ULURP stands for. But what does it mean and why does it matter?

Most big changes that affect land use in New York City will go through a ULURP process.

Let's find out which ones...



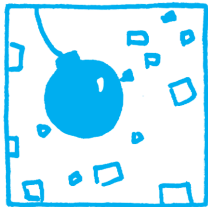
When does something go through a ULURP process?



When the city buys or sells property, or lets private companies use city property or run city services, like a big marina or a sports stadium.



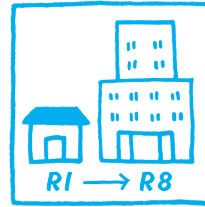
When the city picks sites for new facilities, like firehouses or sewage treatment plants, or when the city proposes new landfills.



When the city proposes housing and urban renewal plans.



When changes are made to the official city map—like if a new road gets added, or one gets removed.



When changes are made to the city's zoning—like when a neighborhood is rezoned or a developer wants to change the zoning to build a very large project.



When the city or a private developer proposes to build something that requires special approval from the City Planning Commission. The proposal is usually something that's really different from what the zoning in that location currently allows.

This book focuses on what happens in these last two, where there are zoning changes.

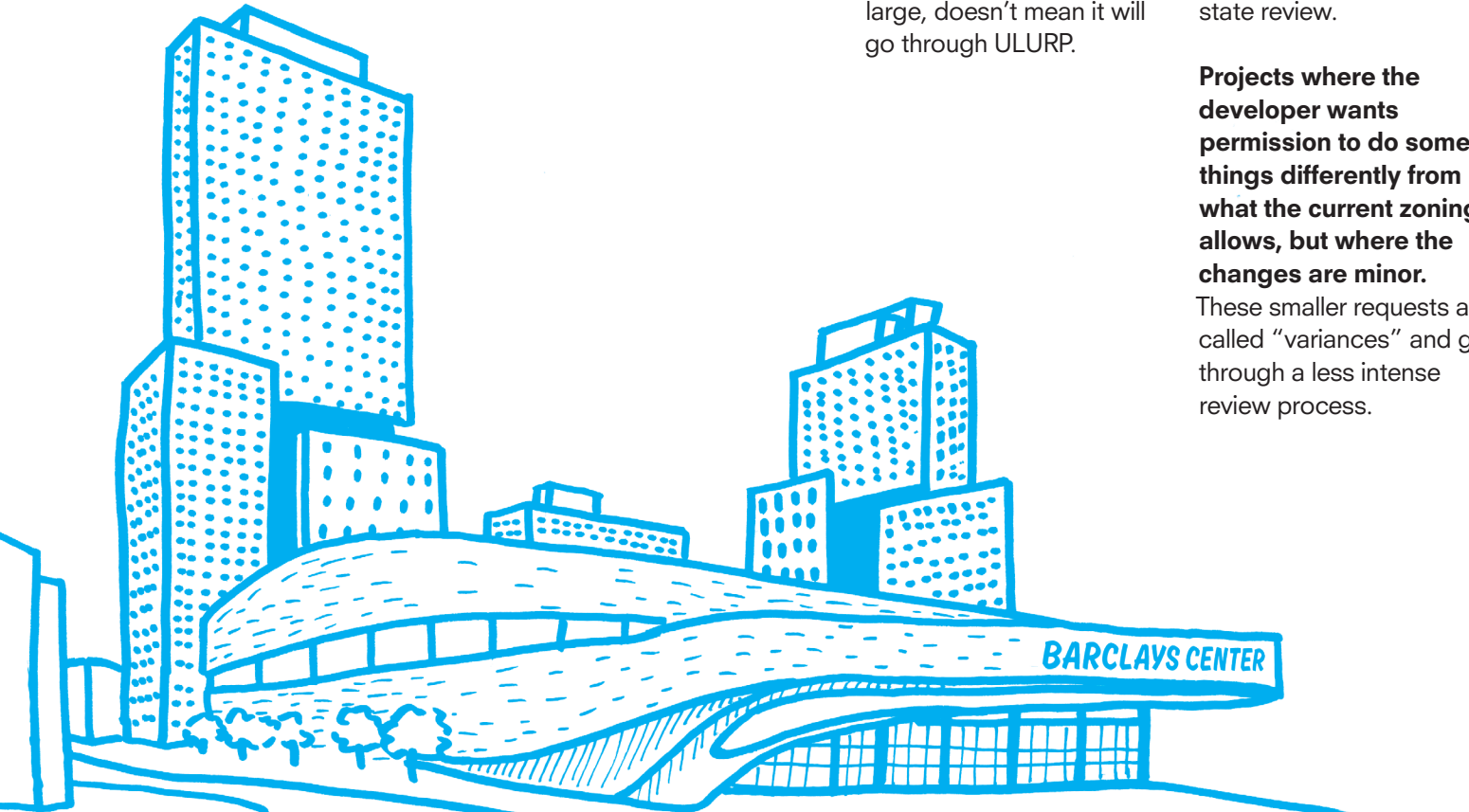
What doesn't go through ULURP?

Many projects don't go through ULURP at all, or go through other kinds of approval processes.

Any private development proposal that follows the existing zoning laws, without changes, will not go through a ULURP process. (This is called "as-of-right" development.) Just because a development is large, doesn't mean it will go through ULURP.

Projects that are under state jurisdiction. For example, the Atlantic Yards development in Brooklyn was a large development that would normally have triggered a ULURP review, but didn't because it came under state review.

Projects where the developer wants permission to do some things differently from what the current zoning allows, but where the changes are minor. These smaller requests are called "variances" and go through a less intense review process.



Where did ULURP come from?



Before ULURP, every development proposal, neighborhood rezoning, or map change would have a different review process, and there were no clear ways for community members to have input. Some reviews would go very quickly, and others would take a long time.

Developers and city agencies didn't like that their proposals would get held up in review for a long time. And communities didn't like that they had no clear way to give input in the process.

No one was happy.

ULURP created a way for all proposals to have a predictable, consistent review process, which includes specific requirements for public hearings, and gives different levels of government the chance to review and comment on proposals.

Now, developers and city agencies know that once ULURP starts the process will take up to a maximum of 215 days. And communities know who will be reviewing the proposal, and when to show up for public hearings.

Developers still complain that it takes too long and communities have too much input. Communities still complain that they don't know when it's going to start and that they don't have enough input.

No one is really happy. But everyone knows how long the process takes and who gets to comment when.

Why is ULURP important?



Before ULURP, community members had very few ways to have a say in decisions that shaped their neighborhoods.

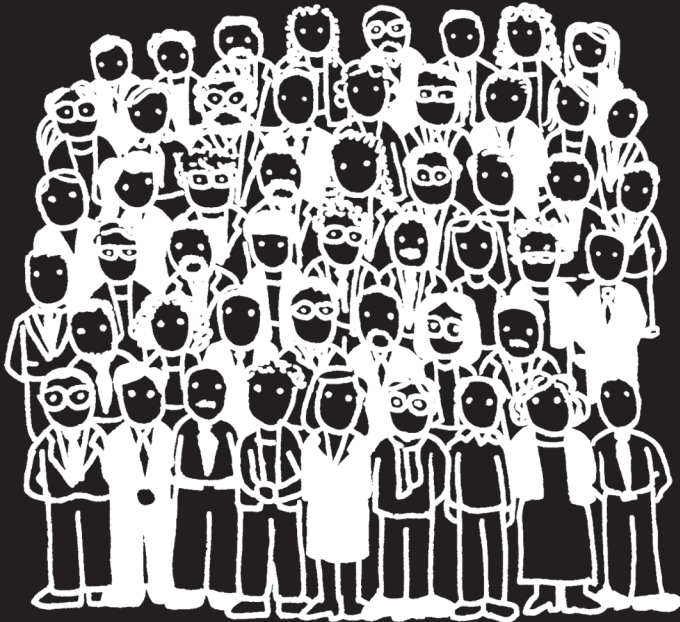
While ULURP isn't perfect, it's an important opportunity for people to make their voices heard and have a say in how their community changes.

Without direct community involvement in the process, elected officials, developers, and city agencies can only guess at what residents want or need. Showing up at hearings and speaking with elected officials can make a difference in what gets built.

Public participation in ULURP processes has led to changes large and small in proposals, and leads to better results than when there are no community members at the table.

Who makes decisions?

While lots of things go through ULURP, this book focuses on large development proposals and changes to the zoning of a neighborhood. This section tells you about all the different people involved in the ULURP process, and how their role works in each of those kinds of proposals.



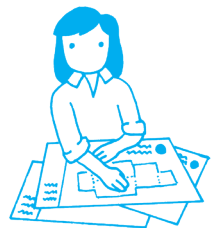
Here's the basic timeline for what happens after a city agency or developer submits a ULURP application:

- KEY:**
- 🕒 Time Limit
 - 🗣️ Public hearing



DEPARTMENT OF CITY PLANNING
certifies application to start the ULURP process.

- 🕒 No time limit



COMMUNITY BOARD
makes advisory recommendation on proposal.

- 🕒 60 days
- 🗣️ Public hearing



BOROUGH PRESIDENT
makes advisory recommendation on proposal.

- 🕒 30 days



Sometimes the Borough Board weighs in too. See page 29.

CITY PLANNING COMMISSION
votes on proposal.

- 🕒 60 days
- 🗣️ Public hearing



CITY COUNCIL
votes on proposal.

- 🕒 50 days
- 🗣️ Public hearing



MAYOR
approves or vetoes proposal.

- 🕒 5 days



ULURP is set up to allow community members and local government from the most local level to the citywide level weigh in on land-use proposals.

The whole process takes up to a maximum of 215 days.

DEPARTMENT OF CITY PLANNING



The Department of City Planning (DCP) is a city agency, part of New York City's government. There are about 250 people on staff at DCP, located in the central office in Manhattan and across all five boroughs.

Their job is to conduct research and make recommendations about zoning and land use in the city.

The head of DCP is appointed by the Mayor, and sets out to help the Mayor implement his or her land-use agenda.



IN A DEVELOPMENT PROPOSAL

The Department of City Planning plays a large role in giving feedback about the proposal as the developer is preparing it. DCP wants to help the applicant make the proposal as likely to be approved as possible by making sure it meets all the application guidelines.



IN A NEIGHBORHOOD REZONING

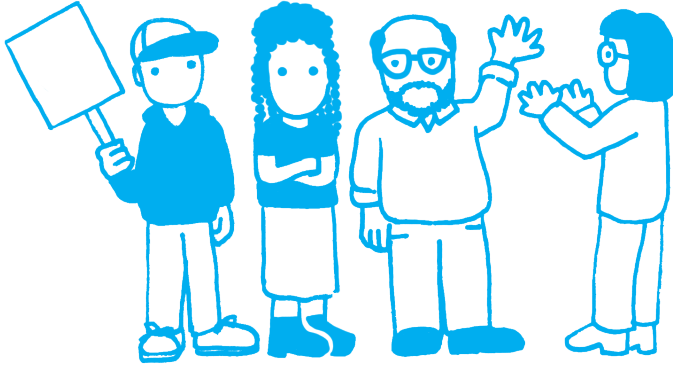
The Department of City Planning is the city agency that conducts research about the neighborhood, develops the rezoning proposal, and guides the proposal through the ULURP process. DCP is usually the “applicant” in these cases. Other city agencies, private developers, and communities can also be applicants.

IN BOTH CASES

The Department of City Planning is the agency that starts the official ULURP process. When a ULURP application is complete, DCP will “certify” it, saying it's ready, and ULURP will begin.

DCP sends copies of the applications to the other players that will review the proposal.

COMMUNITY BOARD



The Community Board is the first body to review a proposal in the official ULURP process.

There are 59 Community Boards across the city, and each has up to 50 members. They are all appointed by the Borough Presidents, but half of them are nominated by their local City Council Member.

The Community Board is seen by other levels of government as the voice of the community (whether or not community residents feel the same way).

They are responsible for listening to various community concerns, assessing community needs to make recommendations during the city budget process, and reviewing land-use and zoning issues.



IN A DEVELOPMENT PROPOSAL

The Community Board is likely to hear about the proposal early on, and may even be asked by the applicant to give feedback on the proposal.



IN A NEIGHBORHOOD REZONING

The Department of City Planning will reach out to the Community Board for input early on in the process.

IN BOTH CASES

After DCP starts the ULURP process, the Community Board reviews the proposal.

They don't vote, but they **make recommendations**, which are not binding.

They can recommend:

- YES**
- YES, WITH CHANGES**
- NO, UNLESS MODIFIED**
- NO**

They have 60 days to review the application, and are required to hold a public hearing during that time.

BOROUGH PRESIDENT



The Borough President is elected by the residents of the borough.

Borough Presidents are responsible for listening to various community concerns, promoting the borough, and reviewing land-use and zoning issues, as well as appointing Community Board Members. They serve four-year terms. The Borough President is the second body to review a proposal in the ULURP process.

He or she **makes recommendations**, which are not binding.

The Borough President can recommend:

- YES**
- YES, WITH CHANGES**
- NO, UNLESS MODIFIED**
- NO**

He/she has 30 days to review the application, and may hold a public hearing during that time (but is not required to).

What about a city-wide proposal?

During ULURP, a proposal is reviewed by the Community Board (or Boards) and Borough President from the districts impacted by the proposal. But what happens when a proposal impacts the whole city? It's rare, but when every district is affected (for example, when a new zoning category is introduced) then every Community Board and every Borough President weighs in on the proposal!

What's a Borough Board?

Each of NYC's five boroughs also has a Borough Board. The Borough Board is made up of the Borough President, the City Council Members in the borough, and the chairpersons of the Community Boards in the borough. If a proposal will affect land in more than one community district, the Borough Board has the option to review the proposal and have their own public hearing. They have to review the proposal in the same time period as the Borough President. If a proposal impacts the whole city, then all five Borough Boards have the option to weigh in on the proposal.

CITY PLANNING COMMISSION



The City Planning Commission (CPC) is a body appointed to review land-use issues. There are 13 members:

- The Director of the Department of City Planning (appointed by the Mayor) is also the Chair of the Commission.
- Six other members are also appointed by the Mayor (meaning the Mayor appoints the majority of the Commission).
- Five members are appointed by the Borough Presidents (one each).
- One member is appointed by the Public Advocate.

They serve staggered five-year terms, except the Chair, who holds that role as long as he/she is the Director of the Department of City Planning.

Commission members are paid but **do not** work for the city (except for the Chair). Unlike the Department of City Planning, which is an agency made up of staff who work for the city, the City Planning Commission is made up of people who serve on the Commission as a public service, in addition to their full-time jobs.

The whole purpose of the City Planning Commission is to review land-use issues, like ULURP proposals. They're supposed to consider the technical merits of the proposal and make sure it's consistent with existing land-use laws and regulations, and make planning decisions about the growth and development of the city.

They will get advice and technical information about the proposal from the Department of City Planning. They will consider the recommendations of the Community Board and Borough President. They can only focus on land-use issues, and will not pay attention to things considered outside the "scope" of the proposal (more on this later).

The City Planning Commission is the third body in the ULURP process, and the first to have a binding **vote**.

They can:

- ☐ **APPROVE**
- ☐ **APPROVE, WITH MODIFICATIONS**
- ☐ **DISAPPROVE**

If they disapprove the project, the process stops and the proposal does not move forward. (Though the applicant can change the proposal and start the process all over again.)

The City Planning Commission has 60 days to review the application, and is required to hold a public hearing during that time.

CITY COUNCIL



The City Council is a body of 51 elected officials, each of whom represents the residents of his or her district.

They serve up to two consecutive four-year terms. They're responsible for making city laws, approving the city budget, and overseeing city agencies.

They review all major ULURP proposals, but are not required to review minor ones (though they can review them if they want to).

Unlike the City Planning Commission, the City Council is allowed to consider issues other than those related to land use. Because they approve the city budget and can write laws, they can address concerns like fair wages or commitments from other city agencies.

The City Council is the fourth body to review a proposal in the ULURP process. They **vote** on the proposal.

They can:

- APPROVE**
- APPROVE, WITH MODIFICATIONS**
- DISAPPROVE**

Their decision is final, unless the Mayor decides to veto it, in which case they can try to override the veto with a 2/3 majority, within 10 days.

They have 50 days to review the application, and are required to hold a public hearing during that time.

MAYOR



The Mayor is elected by residents to govern the city.

He/she serves for a four-year term (with a maximum of two terms). The Mayor shapes the city's finances, and appoints staff to carry out his or her agenda across different issues, including land use and development.

Real estate is a large part of New York City's tax base, so every Mayor will spend considerable time shaping his or her administration's land-use priorities. Those priorities will be carried out by the individuals he/she appoints to head key agencies like the Department of City Planning, the Department of Housing Preservation and Development, and the Economic Development Corporation, as well as the members of the City Planning Commission. In this way, the Mayor's priorities are well represented throughout the ULURP process.

The Mayor doesn't have to approve ULURP proposals, but may choose to.

He/she has five days to review the City Council's decision about the proposal. The Mayor can:

- **APPROVE**
- **VETO**

In practice, the Mayor **almost never vetoes** a proposal. For a neighborhood rezoning proposal, if the Mayor doesn't think it will get approved, he/she can ask the Department of City Planning to withdraw it before it gets to the City Council, ending the ULURP process.

If the Mayor does veto the proposal, the City Council can try to override the veto with a 2/3 majority.

Who recommends? Who votes?



Not everyone has an equal say in the ULURP process. Some get a vote, while others only get to make recommendations.

The Community Board and the Borough President play only advisory roles in the process. They make recommendations.

They can recommend:

- YES**
- YES, WITH CHANGES**
- NO, UNLESS MODIFIED**
- NO**

What's the difference between recommending "yes, with changes" and recommending "no, unless modified"? Recommending "yes, with changes" suggests the recommender generally agrees with

the overall proposal and is just suggesting small changes. Recommending "no, unless modified" suggests that the proposal is seen as having real problems that must be addressed before it is approved.

The City Planning Commission and the City Council get to actually vote on the proposal.

They can:

- APPROVE**
- APPROVE, WITH MODIFICATIONS**
- DISAPPROVE**

The Mayor also gets to weigh in, but he/she can only approve the City Council's decision or veto it. (And if the Mayor vetoes it, the City Council gets the chance to override it with a 2/3 majority.)

What's a "triple no"?

The City Council can be forced to review a proposal it normally wouldn't consider if both the Community Board and the Borough President "recommend no," and if the Borough President files an extra objection after CPC approval. This is called the "triple no" and some people think it helps create accountability. But since all major land-use decisions are already likely to be reviewed by the City Council, it's not that helpful. That said, a "no" from both the Community Board and the Borough President puts pressure on the City Planning Commission to look into the issues raised.

What happens when?

So, now that we know who's involved, how does this all unfold?

It depends.

ULURP is a little bit different depending on what kind of proposal is going through the process. We'll just talk about the two major cases here: a neighborhood rezoning proposal and a large, private development proposal that has to go through ULURP.

[SEE THE OVERVIEW OF ULURP ON P. 40](#)



[FOR A STEP-BY-STEP GUIDE TO A NEIGHBORHOOD REZONING GO TO P. 43](#)



[FOR A STEP-BY-STEP GUIDE TO A DEVELOPMENT PROPOSAL GO TO P. 57](#)

Here's an overview of the general ULURP process:

- KEY:**
- 🕒 Time Limit
 - 🗣️ Public hearing
 - 🔄 Review Session

Before ULURP

🕒 No time limit; can be months to years

A lot of stuff happens before ULURP that has a big impact on the process.

During ULURP

🕒 Up to 215 days

The official parts of ULURP are the shortest part of the process.

After ULURP

🕒 No time limit; can be months to years

Information Gathering

During this phase, the Department of City Planning (DCP) or a private applicant will collect and analyze information about the site or neighborhood, develop a proposal, and file it with DCP.



Environmental Review

The environmental review is supposed to measure the impacts the proposal could have. This might include all sorts of things like traffic, schools, parks, or jobs, among others.



Advisory Phase

In the first part of the official ULURP process, the Community Board and Borough President make recommendations on the proposal.



Voting Phase

In the second part of the official ULURP process, the City Planning Commission, City Council, and Mayor vote on whether the proposal should be allowed.



Implementation Phase

This is when things are actually built according to what was approved during ULURP.



Neighborhood Rezoning Proposal



A neighborhood (or area-wide) rezoning proposal is one that doesn't just apply to a few parcels of land but that would change the zoning for a large area (like a neighborhood) over many city blocks.

Once a neighborhood rezoning is approved, it changes the rules for what is allowed to be built in that whole area in the future.



Information Gathering Phase

- KEY:**
- 🕒 Time Limit
 - 🗣️ Public hearing
 - 📌 Review Session

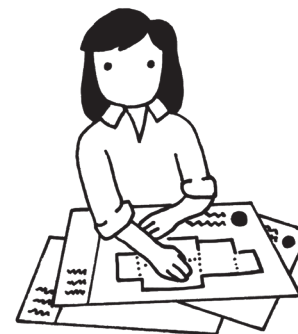
1. The city (sometimes at the request of a community) proposes changes to the zoning of a neighborhood to meet specific goals.

- 🕒 No time limit



2. Department of City Planning (DCP) and other city agencies collect and analyze information about the area, its demographics, and its community needs, and start to form a rezoning proposal.

- 🕒 No time limit, at least several months
- 🗣️ There are no legal requirements for public meetings during this phase, but DCP usually holds several of them to get input.





Environmental Review Phase

- KEY:**
- 🕒 Time Limit
 - 🗣️ Public hearing
 - 📌 Review Session

3. The applicant (which is usually DCP) files an Environmental Assessment Statement (EAS). This short form includes a description of the maximum amount of development that could possibly result from this proposal.

- 🕒 No time limit



4. DCP “certifies” or accepts the EAS and decides if the long form full Environmental Impact Statement (EIS) is needed.

For a neighborhood rezoning DCP will almost always do an EIS.

- 🕒 No time limit





Environmental Review Phase

- KEY:**
- Time Limit
 - Public hearing
 - Review Session

5. DCP makes something called the “Draft Scope” describing the full proposal and listing what it thinks the impact will be if the proposal is passed. The items on that list need to be studied for the Environmental Impact Statement (EIS). “Environmental” impacts can refer to many things, including social, economic, physical, and other kinds of development impact. (For more information, see page 84.)

- No time limit
- Public scoping meeting—The public can attend a meeting to comment on the Draft Scope and ask to have things added to it that they think are missing.



6. DCP completes the environmental study, and lists impacts of proposal—this is the Draft EIS.

- No time limit



7. DCP submits the Draft EIS (to itself!) to be approved with its ULURP application.

DCP certifies the proposal and ULURP begins!





Advisory Phase

Voting Phase

- KEY:**
- Time Limit
 - Public hearing
 - Review Session

8. COMMUNITY BOARD
makes advisory recommendation on proposal.

- 60 days
- Public hearing



9. BOROUGH PRESIDENT
makes advisory recommendation on proposal.

- 30 days



(And sometimes the Borough Board.)

10. CITY PLANNING COMMISSION
votes on proposal.

- 60 days
- Public hearing
- Public review session—CPC asks DCP to explain details of the proposal



11. CITY COUNCIL
votes on proposal.

- 50 days
- Public hearing
- CPC reviews City Council changes
- 15 days



12. MAYOR
can veto proposal.

- 5 days
- City Council can override with a 2/3 majority
- 10 days



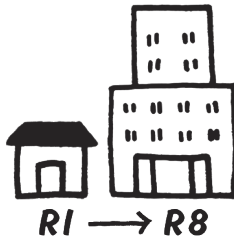


Implementation Phase

- KEY:**
- 🕒 Time Limit
 - 🗣️ Public hearing
 - 📅 Review Session

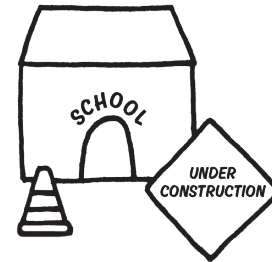
13. The changes to the zoning go into effect and govern future development. Future development that meets these rules will be “as-of-right” and will **not** be reviewed by the public.

- 🕒 Immediately



14. Any city agency commitments made during the ULURP process (like infrastructure improvements) should be implemented.

- 🕒 Depends on provisions in agreements



When is a ULURP not a ULURP?

In 2015, Mayor de Blasio proposed changing the city's zoning laws to require developers of some new, residential buildings to include affordable housing. Since this change (called Mandatory Inclusionary Housing) would affect the entire city, it had to be reviewed by every single Community Board, and all five Borough Presidents, along with the City Planning Commission and the City Council. But instead of the regular ULURP process, the Department of City Planning (DCP) asked the Community Boards and the Borough Presidents to review the proposed changes all at the same time and in just 60 days. Why didn't DCP have to follow the regular timeline?

Because it was only a change to the zoning text and not the zoning map.

What?

The city's zoning code is made up of two parts: 1) the Zoning Resolution—a 3,500-page book of laws about how zoning actually works; and 2) the zoning map, which shows what is allowed to be built on every single lot in the entire city. The ULURP law says that changes to the zoning map have to go through the full ULURP process. But changes to the Zoning Resolution—the text—can go through a modified process. For de Blasio's proposal, which only required text changes, DCP created a shorter

ULURP-like process by having all the Community Boards and Borough Presidents in the city review the proposal at the same time.

What else goes through a ULURP-like process, but doesn't follow the actual ULURP law? There are Zoning Authorizations, which allow things like changes to parking requirements or a permit to build a community facility—a relatively small exception for just a single project. They only have to be reviewed by the City Planning Commission. But the Department of City Planning usually asks the local Community Board and Borough President to review them too—just like in a ULURP—even though the law doesn't require it.

And there are other things too—like 197-a plans, historic district applications, enclosed sidewalk cafes, and business improvement districts—that all require the City Planning Commission to review them, and might be reviewed by other players in the ULURP process, but don't actually go through an official ULURP.

It's confusing because people might refer to any of these processes as "ULURP"! And it means that for any proposal you care about, you should check with the Department of City Planning to make sure you know what timeline it will actually follow.

Development Proposal



When a private developer proposes to build something that requires special approval from the City Planning Commission, it goes through a ULURP process.

Unlike a neighborhood rezoning, once the development proposal is approved it changes the rules for what's allowed to be built on that property (or properties) only.



Information Gathering Phase

- KEY:**
- Time Limit
 - Public hearing
 - Review Session

1. A developer decides s/he wants to develop a property in a way that is not allowed under existing rules, and that would require a ULURP review.

No time limit



2. S/he conducts a market analysis, secures loans, hires an architect, and consults with the Department of City Planning (DCP) to find out if the proposal might be approved.

No time limit



3. DCP gives feedback on the proposal, and encourages the developer to meet city goals (like affordability or green building), and to reach out to the neighborhood's Community Board and City Council Member.

No time limit



4. Developer may or may not reach out to the Community Board to get their input. Some developers do this early on.

No time limit



5. Developer's team revises the proposal and creates architectural plans.

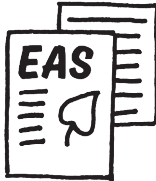
No time limit



Environmental Review Phase

6. When the developer is ready to file her/his application, s/he files an Environmental Assessment Statement (EAS). This short form includes a description of the maximum amount of development that could possibly result from this proposal.

🕒 No time limit



7. DCP “certifies” or accepts the EAS, and then uses the EAS to decide if the long form Environmental Impact Statement (EIS) is needed.

🕒 No time limit



If DCP decides **YES** (“positive declaration”) the proposal goes on to the EIS phase before going to ULURP.

If DCP decides **NO** (“negative declaration”) the proposal goes directly to ULURP.





Environmental Review Phase

- KEY:**
- Time Limit
 - Public hearing
 - Review Session



YES: EIS is needed

7a. DCP makes something called the “Draft Scope” describing the full proposal and listing what it thinks the impacts will be if the proposal is built. The items on that list are studied and reported in the Environmental Impact Statement (EIS). “Environmental” impacts can refer to many things, including social, economic, physical, and other kinds of development impacts. (For more information, see page 84.)



- 30-45 days
- Public scoping meeting—The public can attend a meeting to comment on the Draft Scope and ask to have things added to it.

7b. Developer’s consultant completes the environmental study, and lists the impacts of the proposal—this is the Draft EIS.

- No time limit



7c. Developer submits the Draft EIS to be approved with the ULURP application.

DCP certifies the proposal and ULURP begins!



NO: EIS is not needed

Go to next page.



Advisory Phase

Voting Phase

- KEY:**
- Time Limit
 - Public hearing
 - Review Session

8. COMMUNITY BOARD
makes advisory recommendation on proposal.

- 60 days
- Public hearing



9. BOROUGH PRESIDENT
makes advisory recommendation on proposal.

- 30 days



(And sometimes the Borough Board.)

10. CITY PLANNING COMMISSION
votes on proposal.

- 60 days
- Public hearing
- Public review session—CPC asks Department of City Planning to explain details of the proposal



11. CITY COUNCIL
votes on proposal.

- 50 days
- Public hearing
- CPC reviews any City Council changes
- 15 days



12. MAYOR
can veto proposal.

- 5 days
- City Council can override with a 2/3 majority
- 10 days





Implementation Phase

- KEY:**
- 🕒 Time Limit
 - 🗣️ Public hearing
 - 📌 Review Session

16. The developer has permission to build whatever is approved.

🕒 Immediately



17. Any commitments made by the developer to the public or to the city should be implemented.

🕒 Depends on timelines of agreements made during ULURP



How do you get involved?



Now you know how ULURP works. So, how can you get involved in the process to make sure it represents your community's needs?

That depends on where you are in the process: before a ULURP proposal has been filed, during the actual ULURP process, or after ULURP has been completed.

Ideally, you would be involved in all three stages. This section will show you how.

Before ULURP—go to page 70
During ULURP—go to page 88
After ULURP—go to page 110

Before ULURP

The best way to have a real impact on a ULURP proposal is to be involved before there is an official proposal.

Once a project goes into the ULURP process, a lot of decisions have already been made. For example, a developer's plans and financing are typically pretty far along at that point, making it hard for them to significantly change what kind of uses they're proposing. And a neighborhood rezoning proposal takes a long time to develop, with lots of opportunities for public input before a proposal goes to ULURP.

There are different ways to be involved before ULURP:



1. BE INFORMED.

Look out for announcements on the Department of City Planning's website. This is where new ULURP proposals and public meetings are announced.

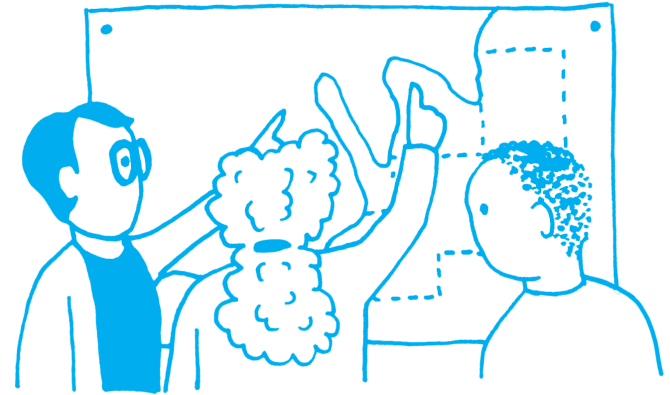
Get close to your Community Board, since they often hear about proposals early on. Many developers will reach out to the local Community Boards to get early feedback on development proposals, and the Department of City Planning will reach out to Community Boards early on about proposed rezonings. Be in touch with your Community Board to find out when proposals are coming—they'll know about them well before ULURP starts.

Better yet, **get appointed to your local Community Board**, or work to get others that represent your community on it. Most of the players in the ULURP process think "Community Board" when they think about who represents a local community's opinions. If your Community Board doesn't represent yours, change it! It can be one of the most important ways to impact development.



City Council Members are also likely to know about proposals early, so you can try to find out about proposals from their offices. Local community-based organizations might also be a good source of information.

Know your zoning. Most of us aren't really familiar with what the current zoning in our neighborhood allows or doesn't allow. This is important information in understanding where you have leverage in ULURP proposals, and in evaluating whether you want to propose your own zoning changes to make it better reflect community needs.



2. GET ORGANIZED.

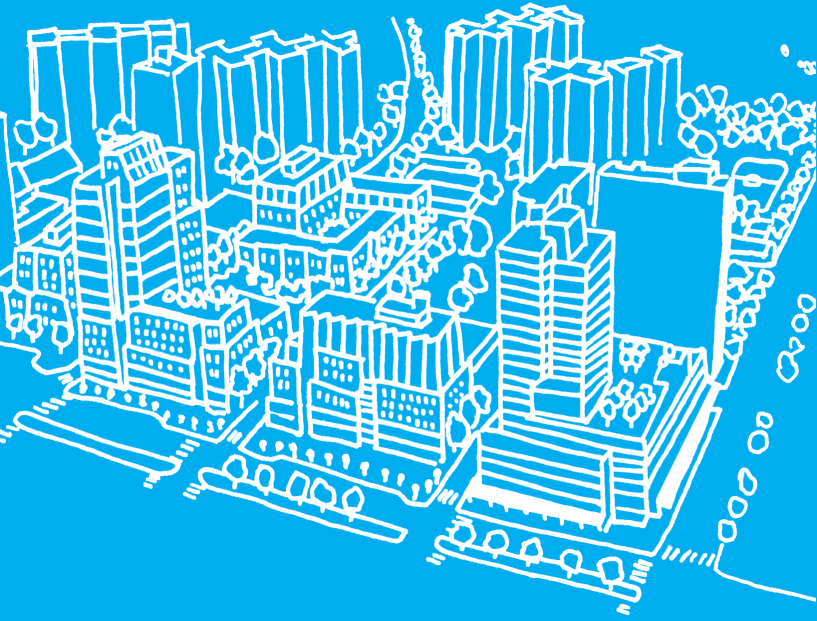
There is more power in numbers, especially if you can show that a large group of people have consensus around what should happen (or not) in their community. The people who have had the greatest success in the ULURP process are those who **organize as a group or coalition of groups** to make their voices heard.

You'll have more luck meeting with key decision-makers in the process if you **represent a group of unified voices**, as well. There are many neighborhood-based and citywide groups organizing in NYC. You may want to start by seeking out the ones working in your area.

During this time, you'll also want to get community members ready to participate in the process. This is a great time to **educate people on land use, zoning, and the ULURP process**, and get them ready to make public statements during hearings.

SEE THE CASE STUDY: [What can communities get out of ULURP?](#) p. 74

What can communities get out of ULURP?



In 1967, New York City leveled around 20 acres of land in the Lower East Side for a proposed redevelopment. Almost 2,000 low-income families were forced to move out of the area. At the time, the city promised they could return after new housing was built. This area was called the Seward Park Urban Renewal Area, or SPURA.

Despite many attempts by the city to redevelop the land, for the next 40 years most of the SPURA site was nothing more than vacant lots and parking. In 2012

the city introduced a new set of plans which would eventually become their final proposal. A coalition of community groups played a major role in determining what would be included in that final proposal, but the things the community won came in exchange for hundreds of new market-rate units also getting built. Why was this proposal able to move forward when so many others had failed, and did the community benefit?

Because the entire SPURA property was owned by the city, the city—rather than a developer—was the applicant for the ULURP proposal, giving community members more leverage than in a private development proposal. Even though private developers would ultimately build out the site, the city would define the new zoning, and city agencies would write the “Request for Proposals” (RFP) that developers would have to follow.

Knowing this, a community coalition gathered input from the community on what they wanted built there. Groups like Good Old Lower East Side (GOLES), City Lore, and the Pratt Center for Community Development teamed up to do a series of public visioning workshops, surveys, and an oral history project in which more than 500 people participated. They used what they learned to write a report outlining the community’s big priorities for low-income housing and jobs for local residents. They combined their work with protests to prod city agencies to use the extra leverage they had with the SPURA site to require developers to build housing affordable to low-income people.

But while the city’s proposal included some low-income housing requirements and a “right to return” for former site tenants, it also allowed hundreds of market-rate apartments. And this is the proposal that ended up going through ULURP.

During ULURP, the city agencies and Community Board went back and forth over several variations on the proposal, with the Community Board feeling like many of their requests were left out. Meanwhile GOLES members felt many of their needs were ignored even by the Community Board. At the City Planning Commission hearing, GOLES spoke out against the proposal for not including enough truly affordable housing. Because of this pressure, the City Planning Commission did modify the proposal to make the affordable housing permanently affordable before voting in favor of it.

When it was the City Council’s turn to review the proposal, they responded to the community pressure by increasing the number of affordable apartments from 450 to 500 (half of all the apartments being built) and, with the Economic Development Corporation agreeing to include a community task force in selecting a developer for the site, voted to approve the proposal.

After 40 years and compromises by everyone involved, the SPURA site will house significantly more permanently affordable apartments than most developments, but there will also be hundreds of luxury units that will contribute to the changing social character of the Lower East Side.

3. MAKE YOUR OWN PLANS.

The best way to get the land use and development you want to see in your community is to develop your own proposals before someone else does. There are different ways to do that.

Big plans like “197-a plans,” or community-led comprehensive plans, require some technical assistance and can be a lot of work. Like all plans, they can also be easily ignored. But if your community has a high level of consensus around what it wants to see, a community plan can be a good way to document that and present it to key decision-makers in the city.

[SEE THE CASE STUDY: Can communities make their own plans? p. 78](#)

But even **smaller planning efforts** that take less work can help make a case both before and during ULURP by documenting community concerns. Examples of smaller plans can be things like an analysis of vacant or developable sites in the area, research showing the need for open space in the neighborhood relative to other areas of the city, information on housing needs in the area in relation to local income levels, or other documents that show local needs.

Use these planning efforts to **be as specific as possible about community concerns and desires, and use numbers to quantify the problems where you can.**

This will help players in the ULURP process to better understand your concerns and to make the case for your argument. It also makes it harder for city agencies or developers to say they were not aware of these issues.

[SEE THE CASE STUDIES: What can communities get out of ULURP? p. 74](#)
[How much power does a Community Board really have? p. 82](#)

Can communities make their own plans?



Lots of people think community members are the most qualified people to shape local planning decisions. In NYC, communities who want to make their own plans are sometimes encouraged to create something called a 197-a plan (named after the part of the City Charter it's described in).

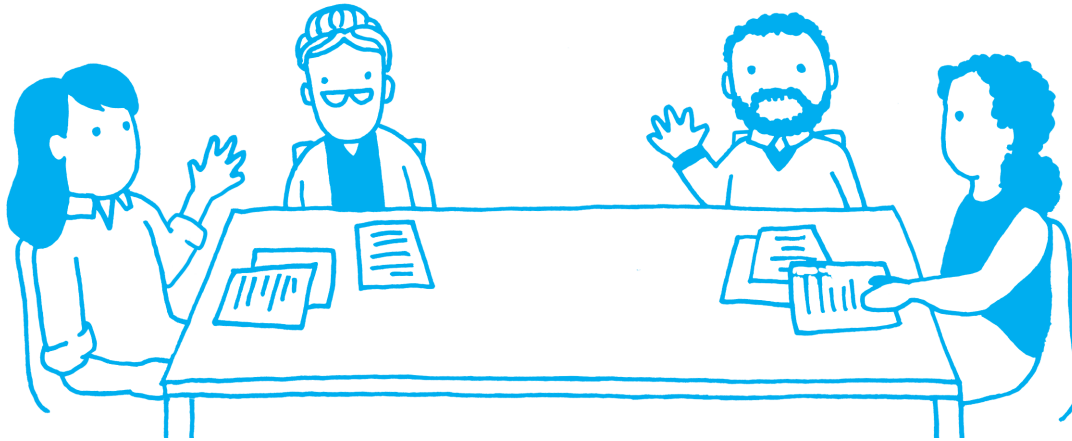
To make one, community members study neighborhood needs, like housing, infrastructure, transit, and open space, and come up with a plan for the area. They get input from different stakeholders and try to reconcile differing opinions. It's a complicated process, and can take a very long time. Communities with lots of money hire experts to help them, others collaborate with nonprofit technical assistance groups, and some go it alone.

The final 197-a plan goes through the ULURP process, and, if approved, has to be considered by the city in any future land use decisions in that area. So how much does the city consider these plans?

That really varies. In 1989, residents of Greenpoint and Williamsburg started working on a 197-a plan for their industrial waterfront neighborhoods. They were concerned that the existing zoning allowed power plants and waste transfer stations, and wanted to make sure that any future development of the waterfront would be a mix of light industry and housing affordable to the people who already lived there. They met with the Department of City Planning and other experts for over 10 years to develop their plan, which was approved through the ULURP process in 2002, just as the city was beginning to think about rezoning the area.

The city's neighborhood rezoning proposal did prevent powerplants and waste transfer stations, but it allowed large residential towers along the waterfront. It created a bonus for affordable apartments, but didn't require them. During the ULURP process, the Community Board and Borough President recommended against approval because it didn't meet the basic goals of the 197-a plan that the communities had worked so hard on. But, with only a few small modifications from the City Planning Commission and the City Council, the rezoning proposal was approved in 2005.

Is a 197-a plan worth it? In some neighborhoods, they have made an impact. But at the end of the day, it turns out "considering" a plan doesn't mean committing to it. Some people think smaller, less difficult to make plans can be just as—if not more—useful than a 197-a plan.



4. SHARE YOUR CONCERNS WITH THE CITY.

If you have community plans (see #3), share them with your **Community Board** to make them aware of key issues. You can also ask them to include those issues in their District Needs Assessment—a document they prepare annually that lists local needs and that is used in the city budget process.

Organized groups can **meet with Department of City Planning (DCP) borough office staff** to alert them to local needs and concerns. If DCP staff know that something is an issue, they may suggest that developers address it or at least meet with community groups about it before finalizing their ULURP proposals. DCP is more likely to incorporate issues they know about into their own neighborhood rezoning proposals.

Some advocates also suggest organized groups should set up **annual meetings** with the Community Board,

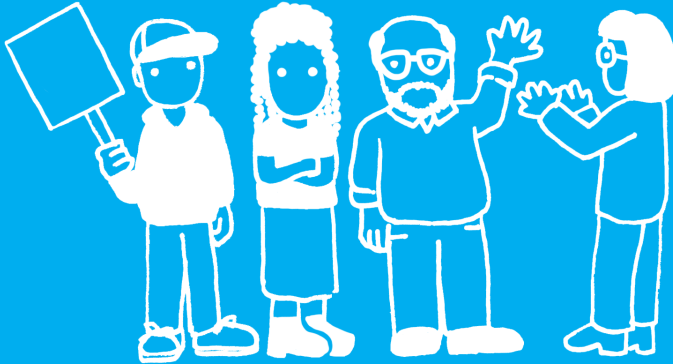
Borough President, your City Council Member, and DCP to make them aware of the community’s concerns ahead of any proposals, and asking them to alert you if any related proposals are filed.

5. PAY ATTENTION TO WHAT’S HAPPENING AT DCP.

For rezonings, DCP will hold multiple **public meetings** early on, well before finalizing their proposal for ULURP. At those meetings, DCP will both share information about the process and try to gather input on the proposal. Keep an eye out for these important early opportunities.

Developers are required to file a short “**Pre-Application Statement**” with DCP, outlining what they plan to propose. Decision-makers like Community Boards and Borough Presidents can ask to review these as they are filed, which can be another way for communities to find out early about proposals.

How much power does a Community Board really have?



Since Community Boards only play an advisory role in ULURP, it may seem like they don't really have much power. But Community Boards vary widely in their effectiveness, as well as in how much they reflect their community's priorities. One Community Board that has been particularly effective in navigating the ULURP process is Manhattan's Community Board 4, in the Hell's Kitchen/West Chelsea neighborhoods.

Community Board 4 has been successful in getting new development in their district to include significant amounts of affordable housing and open space because there was a strong demand for these within the community and they were clear in communicating it to developers.

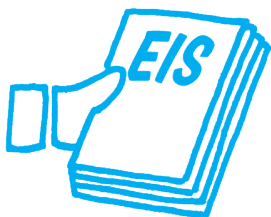
How do they do it? They aren't afraid to recommend "no" on proposals that don't meet their goals for specific amounts of affordable housing; they offer very detailed explanations of their decisions so there is a clear record for the City Planning Commission (CPC) and City Council to understand; and they get help from experts in planning, architecture, and law to include specific recommendations, often with technical language that could be incorporated directly into the zoning code by the CPC and City Council.

They also do their own studies and use that to support their arguments. To understand the need for affordable housing in their community, they tracked the number of units of market-rate and affordable housing in the district, the number of new units being built, the income levels of the families in the neighborhood, the income levels the affordable housing was built for, and what the gap was between the two. When they make recommendations about the amount and level of affordable housing during ULURP, they are able to point to these numbers and make strong, clear, specific arguments.

6. WATCH OUT FOR ENVIRONMENTAL IMPACT STATEMENT SCOPING MEETINGS.

These sound technical (and they are a bit), but they're an important moment in the process for public input.

Before ULURP officially starts, many proposals (including all neighborhood rezoning proposals) are required to include an **Environmental Impact Statement (EIS)**, a report that shows all the impacts a project is expected to have on everything from air quality to traffic patterns to school crowding to building shadows, and more. The EIS counts the impacts of the full proposal being built, as well as what would happen if nothing is built.



At the beginning of the EIS process, DCP holds a **public scoping meeting**, where they present a list of the things they think need to be studied based on the scope of development. (See page 97 for an explanation of

“scope.”) You can give input on this list and ask for other things—things that your community is worried about that might not appear on the list yet—to be included in the study. It can be useful to familiarize yourself with what is on the standard list, and to know what items you would want to add ahead of time. You can find the list on DCP’s website. (Be warned: it’s a long list!)

The scoping will also include certain assumptions about **how development will take place**, including how it might relate to other expected development. For example, DCP might assume that 10,000 new units of housing are

proposed to be built in the neighborhood over the next 10 years. If you know that the total is actually likely to be closer to 15,000 based on other development proposals, you should comment on that in the scoping meeting. Or, if affordable housing is being proposed, but it will still be too expensive for neighborhood residents, that issue should be raised here. This can be an important way to create accountability in the process.

The environmental study itself can take a year or longer! After all the data has been collected, the conclusions will be published in the Environmental Impact Statement. This usually happens at the same time ULURP starts.

The Environmental Impact Statement spells out the potential impacts of development, and includes some information about how those impacts might be offset. However, unless those strategies become formally incorporated into the proposal, their implementation is not required. (Which means they probably won’t happen.)

The developer or DCP is not required to show what they would do about those impacts. But, at the very least, getting issues you care about included in the EIS will mean that you can **use the data collected during the study** to make your arguments about the impact of development during ULURP.

One of the most important ways to participate in the scoping meeting is to **get the city to analyze alternative proposals** in addition to the existing proposal. For example, getting them to also analyze a rezoning scenario with slightly lower density or slightly more affordable housing. This way during ULURP you can compare the

impacts of these different scenarios to each other. You may need the help of your City Council Member to get an alternative proposal included.

Finally, the EIS scoping meeting is the first place you will hear the full description of the proposal that is going to go through ULURP. During ULURP, changes can be made to that proposal as long as they do not increase the scope of the environmental impacts of the project. (Otherwise, a new ULURP process would have to be started.) Knowing what the full scope could be is important later on when you're making comments during ULURP.

Why is it so hard to find out about ULURP proposals?

The rules about ULURP are spelled out in a document that defines many of the city's rules and processes—the City Charter.

If you read the section about ULURP, you'll see that it's actually really short. (Much shorter than this book!) It doesn't say anything about what kind of public notification should be required when a ULURP proposal comes up, which often makes it hard to find out about them. This is unusual because other kinds of development-related public review, like the Board of Standards and Appeals', have specific requirements that notification must be given to landowners within a 400 foot radius of a proposal.

Maybe the Charter should be revised? Every 10 years or so, the City Charter is reviewed and sometimes revised. There is usually some discussion of whether ULURP should change. (In the 2010 Charter review process, one person testified that "ULURP doesn't need to change. Developers and the public hate it equally, and that's a sign that it's working.")

This is a longer term strategy for impacting development, but changing the rules for how ULURP operates—from what kind of notification is required to more significant changes—would require a Charter revision and would impact every ULURP proposal.

During ULURP

Once the ULURP timeline starts, it's harder to get significant changes to a proposal, but it's still important to participate in the process.

Small adjustments can still be meaningful, and the process provides opportunities to make sure that implementation and accountability are addressed, which are important even for the best proposals.



1. BUILD ON PREVIOUS WORK.

If you did any of the steps in the “Before ULURP” section, follow through on them here. Make sure to keep bringing the same message to public hearings and discussions throughout the process.

2. MEET WITH DECISION-MAKERS.

If you met with some of the ULURP players ahead of the process, great! **Keep meeting with them** to stay in the loop and keep them updated about community concerns.

If you're just getting started, that's okay. Meet with whomever you can to get information, share your concerns, and get them on board. Here are some considerations:

The Community Board (especially its Land Use Committee) and the Borough President are the easiest to access and the most concerned about local issues, but they have less formal power in the process. The Community Board is the entity that the city sees as their official pipeline for community input. Most of the players in ULURP will assume the Community Board accurately represents their constituents, so it's important to try to get them on board or to try to get on the board yourself.

The City Council may be harder to get to, but has more power and has more flexibility on the issues they can raise during the ULURP process. Developers and the Department of City Planning (DCP) will go to the local Council Member early to get support for their proposal, so you should contact them early, too. The Council generally follows the lead of the local City Council Member from the impacted district in deciding how to vote, but other politics can come into play.

City Council Members are more likely to meet with organized groups or coalitions. You may also be able to meet with their staff. And remember, City Council Members are elected and need your votes!

Your group can also meet with your local **DCP borough office staff** to share concerns and learn more about the proposal. DCP staff can share technical information that can help you understand the proposal better. The City Planning Commission will ask DCP staff what the community is concerned about, and this can be a way to get issues on their radar.

For a development proposal, always **try to meet with the developer** and his/her representatives. You may not get a meeting, but it's worth a try.

You are pretty unlikely to meet with the **Mayor** about a proposal, but you can always vote in the mayoral elections for someone whose land-use agenda you agree with! And your group might have success meeting with deputy mayors or other mayoral staff.

3. GO TO THE PUBLIC HEARINGS.

The Community Board, City Planning Commission, and City Council each are required to hold a public hearing, and the Borough President can decide to hold one, too. Attend these (ideally with many others from your community) and **give public testimony** about your concerns and recommendations.

You should also **submit written versions of your comments** so they can become part of the ULURP record and be read by other players in the process. When the City Planning Commission and City Council review comments in the public record from early in the process, they often find that they are only a couple of sentences long, making it hard to really understand the issues being raised and to make sure they get addressed. The written record can help them get a fuller picture and better evaluate concerns.



4. MAKE YOUR COMMENTS COUNT.

This is not the time to say “We don’t like this. It’s bad.” Your comments will have a bigger impact if you **make clear and specific arguments**, and support them with good information. This not only makes your case stronger, but it also helps others in the process who are sympathetic to your concerns to have the information they need to argue their position.

Use numbers and data. As much as possible, use information about community needs, existing plans, and documents to show how the ULURP proposal would impact your community.

Providing detailed, even technical comments can help your Community Board, too. Community Boards that don’t have a lot of technical capacity (think lawyers, architects, urban designers, and others with specific land-use knowledge) can be at a disadvantage during the ULURP process. You can help them by providing detailed and specific arguments that they can use in their recommendations. That means addressing concerns about, say, the impacts of density with discussion of

specific numbers on how to address those impacts (“10,000 new housing units in the neighborhood will mean approximately 2,000 additional school-aged children, and our schools are already overburdened according to the city’s own definition.”) And it means being specific about what you want to see happen. Sometimes the City Planning Commission and City Council see comments making concerns clear, but not pointing out what kinds of solutions would be acceptable or desirable.

You may need **technical assistance** from planning/architecture/legal experts to help make effective recommendations. There are several nonprofit organizations and academic programs that provide that kind of assistance in NYC.

Encourage the Community Board and Borough President to be specific in their comments and their recommendations, too. To make sure these items are recorded in the public record, submit your own comments in writing, as well as speaking at any hearings.

Consistent messaging from the public, the Community Board, and the Borough President can be powerful in communicating key issues to the City Planning Commission.

How much can a proposal change during ULURP?



Proposals don't usually change radically once ULURP starts, but sometimes seemingly minor changes can be meaningful.

Mayor de Blasio came into office with a desire to transform affordable housing in NYC. Previous mayors had encouraged affordable housing development by letting developers build larger buildings if they provided affordable units. The de Blasio administration proposed changing the zoning law to require developers to build affordable

units if they wanted to build in certain areas of the city. But first he tested this idea.

Astoria Cove is a large development proposal in western Queens that would contain 1,700 apartments, 340 (or 20%) of which would be affordable; retail space; a grocery store; an elementary school; open space; and parking. To build all of that, the developers were asking the city to change the zoning from manufacturing to residential—and that meant they had to go through ULURP.

Even before ULURP started, the developers dropped the number of affordable apartments they proposed to build down to 295. A large coalition of community and labor groups pressured the Community Board to recommend disapproval unless the number of affordable apartments was increased to 595 and set aside for "low-income" to "middle-income" families (a particular category of incomes, defined by the federal government). The Borough President followed suit, opposing the plan. And then the Mayor released his housing plan for the city, committing to making affordable housing a requirement.

All that pressure led the developers to change their plan. They committed to building 345 affordable apartments. That number was written into the zoning itself—legally binding them to do it. The City Planning Commission adjusted the number to 340, and said half would have to be affordable for "low-income" families.

Around the time the City Council started reviewing the proposal, some planners at the Department of

Housing Preservation and Development realized they had made an error and discovered that Astoria Cove was in a special area that required the project to have 20% of its housing affordable to “very low-income” families (another income category) if the developers wanted to claim the tax break known as 421a. This ended up being the lever the City Council could use to increase the total amount of affordable housing in the proposal.

Led by local City Council Member Costa Constantinides, and facing an unprecedented amount of community pressure, the City Council approved a plan requiring the developers to build 466 affordable apartments (27% of the total project). More than half would have to be affordable to “low-income” families. This was the first time the de Blasio administration required a developer to build affordable housing.

So, while the overall proposal didn’t change much, the quantity and income levels of the affordable housing were significantly altered. Changes like this—securing additional investment in community needs—are typical of the kinds of changes more easily achieved during ULURP.

5. STAY “WITHIN SCOPE” AND ON TOPIC.

Each ULURP proposal has a defined “scope”—meaning it’s a proposal with a specific amount of development or zoning changes. During ULURP, the City Planning Commission (CPC) and City Council can make recommendations that reduce the scope of the project or change it without impacting scope, but not ones that increase the scope. (That would require a new environmental review and a new ULURP application.)

For example, if during the ULURP process the community becomes willing to support a larger development because the developer offers to include more affordable housing, the size of the project can’t be increased above the original proposal without having to restart ULURP.

If the Environmental Impact Statement was not adequate, or if something major was not addressed, the City Planning Commission can stop the proposal and require the applicant to file a new application, restarting the ULURP process. (This is pretty rare, though.)

But important changes can still be negotiated during ULURP, and it can be a way to get some **public benefit** in exchange for supporting a proposal. For example, at the Domino Sugar site in Williamsburg, the developers provided public space on the site and agreed to certain operating hours as well as to a public advisory group to program the site; at the Hudson Yards Culture Shed, the public secured a guaranteed number of hours for public use versus private events; and at Chelsea Market, Community Board 4 was able to negotiate urban design changes so the building façade would match the existing

structure. All of these changes became part of the ULURP record so they will be enforceable.

The City Planning Commission's job is to evaluate land-use proposals. They can only focus on issues of (you guessed it) land use and zoning. That means if you want to negotiate for **non-land-use related topics**, like labor policies, or issues like policing, sanitation, or after-school programs, you're not going to get very far with the CPC.

The City Planning Commission looks at how much a proposal is asking for something out of the ordinary. In a private development proposal, the **more discretionary** the request, the more they will look for the developer to provide more public benefit to offset the request. Your testimony should make clear what public benefits the community requires.

The CPC often votes unanimously, so if even one commissioner votes against a proposal, it can send a message to the City Council to focus on an area of the proposal that should be changed to better meet community concerns. For example, one Commissioner voted "no" and made extensive comments about an issue with part of the zoning in a West Harlem neighborhood rezoning proposal. The Commission did approve the rezoning but City Council Members picked up on the zoning comments and incorporated revisions into their own final vote. So it's important to show up for CPC hearings and give testimony, even if you only **influence one commissioner**.

6. WHEN TO GO BEYOND LAND USE.

The City Council, unlike the City Planning Commission, can use other mechanisms (legislation, the city budget, agreements with other city agencies or with developers) to **address non-land-use issues**. Make sure they are thinking about these issues before the proposal gets to them.

Communities may also be able to sign "**Community Benefit Agreements**" (CBAs) with a developer, agreeing to support the proposal in exchange for certain public benefits (like affordable housing, open space, or fair-wage jobs, for example). CBAs present many challenges—the city can't be a party to them; there can be disagreement about who represents "the community;" and it can be hard to write CBAs that are legally binding. They can be valuable tools, though, and if done well, can be one of the only tools that are enforceable by the community. If you're considering one, get help from a legal assistance group to make sure you create a binding agreement.

[SEE THE CASE STUDY: Do Community Benefit Agreements work? p. 100](#)

Do Community Benefit Agreements work?



Legend has it that the Kingsbridge Armory in the Bronx is the largest in the world. It covers an entire five-acre block and even has a moat. But in the 1990s the military didn't need this giant building anymore, so they gave it to the city. The city didn't need it either, so they decided to open it to private development proposals. But if that was going to happen, the community wanted to be involved. And that became the central question of the Kingsbridge Armory ULURPs (there were two of them)—how should the community benefit from giving away such an immense resource?

In 2008, under Mayor Bloomberg, the Department of City Planning's solution was to turn the building into a mall. The city had a developer, the Related Companies, lined up for this, and the proposal included movie theaters, restaurants, retail stores, fitness clubs, a supermarket, and a community facility. Plus a whole lot of parking.

A coalition of community groups and labor organizations, the Kingsbridge Armory Redevelopment Alliance (KARA), formed to advocate for the things they cared about. They put together a proposal for a Community Benefit Agreement (CBA)—a contract that the developer would sign promising certain things to the community in exchange for their public support of the project. KARA's CBA required Related to pay a living wage and union representation for all jobs (retail and construction).

Even though Related had signed a similar CBA in a previous development, they refused to sign KARA's CBA because of the living wage requirements. During ULURP, Bronx Borough President Rubén Díaz Jr. recommended disapproval of the proposal because of Related's refusal to sign KARA's CBA.

The City Planning Commission approved the application with a vote of eight to four. But the City Council voted against the proposal, referring to the lack of a CBA and living wage jobs. It's important to note that the city itself can't sign a CBA. It's a

contract between a developer and a community organization or coalition that represents the local community. Yet, despite that, the City Council's disapproval was influenced by whether the developer could reach an agreement with the community.

The City Council often threatens to vote down a ULURP proposal, but this was one of the very few times it actually happened. The Mayor vetoed the City Council's vote. The proposal went back to the City Council, which overrode the veto with a 45 to 1 vote—killing the proposal completely.

The giant building continued to sit empty. But in 2012 a new developer took a crack at it, and dreamed up the Kingsbridge National Ice Center (KNIC), which would be the largest indoor ice skating complex in the world. The new developers signed a new CBA with KARA, committing to providing a school, community spaces, scholarships and sports programs, money for local community groups, and to paying a living wage to all employees at the site. With the CBA in hand, the KNIC proposal sailed through ULURP with hardly a word of opposition.

For the Kingsbridge Armory, a Community Benefit Agreement was the key to both an undoing of one ULURP process and the passing of another.

7. GET THE TIMING RIGHT.

Know what decisions are up for debate and which have already been made so you can focus your efforts on the open questions. For example, the Whole Foods in Gowanus, Brooklyn required a public review process for a minor change to their plans as the site was beginning construction. The review process that allowed the store to be built in the first place had taken place several years before, but many community members attended the later public meetings to protest the store's construction. Instead of focusing on the issue at hand, whether it was appropriate, and whether any additional public benefit could be derived from the site in exchange for approval, hours were spent discussing a decision that could no longer be changed.

Knowing what decisions are actually on the table lets communities target their efforts to get the best results for their neighborhoods.

8. THINK ABOUT ACCOUNTABILITY.

During ULURP, it's easy to focus on the specifics of the proposal and forget to consider the details of **how it will be implemented**. But implementation (or the lack of it) can have huge impacts on a community.

Now is the time to make sure that terms that are agreed to during ULURP ensure **good implementation**. For example, if there is going to be affordable housing or park space or other public amenities built as part of a proposal, make sure those things are required to be built at the same time as the rest of the development. If city infrastructure improvements are going to be made

as part of a neighborhood rezoning, make sure there is a commitment from the appropriate city agencies and from the City Council to include it in the city budget.

The City Council can get a Memorandum of Understanding (MOU) or other agreement from city agencies that address things beyond just land use. Some people are critical of these kinds of agreements and there are limits to how useful they are. But the City Council is likely to keep using them, so it's important for communities to follow up to make sure they're getting implemented.

The City Council can also use legislation to address these issues, and create **legally binding and enforceable** requirements.

Provisions that get written into the ULURP decisions are also enforceable. Try to get as much as possible included in the final decisions written by CPC and the City Council.

9. MAKE IT ENFORCEABLE.

Here are some of the ways a community can make sure provisions the city or a developer agree to during the ULURP process are legally binding and enforceable:

Change city law.

Any City Council Member can propose a change to the laws that residents of NYC have to follow, but a change like this needs to be voted on by the entire City Council to become law. For example the Tenant Protection Act, which makes it illegal for landlords to harass tenants, is a NYC law passed by the City Council.

Change the Zoning Resolution.

The Zoning Resolution is the part of NYC law that lays out how zoning works. The city might make promises to a community during ULURP, but if those promises are written into the Zoning Resolution, the city will have to do them because it's the law. For example, some areas have anti-harassment measures (special protections that require the city to check if landlords have a history of harassment if they want to demolish their building) which were added to the Zoning Resolution during ULURP.

Adjust the city budget.

The city budget says how the city is going to spend its money. Community members can ask the city to include items in the budget that will be spent on their community, like: building parks or bridges, money for education or policing, fixing infrastructure, or running community programs. The ULURP process is an opportunity for communities to make their voices heard about what the city should spend its money on. But the city passes a new budget every year, so it's important to make sure the next city budget actually includes the items agreed to during ULURP!

Add requirements to RFPs.

If a city agency wants to hire a developer to build something they have to put out a Request for Proposals (RFP), which asks developers to describe how they would use the land if the agency chooses them. The agency can only select developers who meet requirements included in the RFP, and those requirements will be in the contract the developer signs with the agency. During ULURP community members can ask for specific requirements to be included in any future RFPs for development in their area.

Ask for PILOT funds.

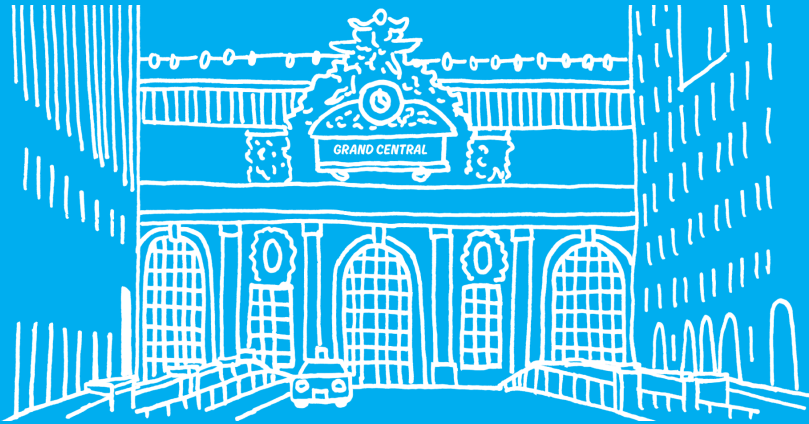
The city has the power to set up a PILOT fund (a "Payment In Lieu Of Taxes") for a neighborhood. With a PILOT fund a developer makes payments into the fund instead of paying property taxes. Those payments are lower than the property taxes would have been, so it's cheaper for the developer. It can benefit the community by requiring the money raised from developer profits to be spent only in the neighborhood affected by new

development, unlike regular property taxes which can be spent anywhere in the city.

Change the rules of city agencies.

All the agencies that do the work of the city (like the Department of Transportation, the Police Department, or the Department of City Planning) have to follow regulations that guide how they do their work and how they interact with city residents. Community members can ask for changes to these rules to make sure the agencies are serving their communities and the city well. These rules cover all kinds of things, but they often lay out exactly how the agency will carry out a law passed by the city, state, or federal government. For example, for the 421-a affordable housing law, the Department of Housing Preservation and Development created rules that make sure affordable apartments share common areas with the rest of the building, and that tenants have the right to choose whether they want a one or two year lease. Agencies change more than 100 rules a year, and every one of them has to be posted for public comment.

Does a moving ULURP ever stop?



In 2012, the Bloomberg administration proposed a neighborhood rezoning that would have allowed very large buildings around Grand Central Terminal. While lots of businesses wanted an office space in Midtown, most of the available buildings weren't big enough for modern offices. The rezoning proposal encouraged developers to tear down old, smaller buildings and build new, larger ones. And since more office space would mean more transit riders, the Department of City Planning included a bonus in the proposal, which would have allowed developers to build even bigger buildings if they paid money into a fund to improve transit in the area.

But partway through the ULURP process Mayor Bloomberg withdrew the rezoning application,

which is something that's only happened a couple of times in city history. Why would he do that?

The Community Boards in the area had recommended "no," but Manhattan Borough President Scott Stringer recommended "yes." With some small modifications, the City Planning Commission approved it.

The proposal hit a snag in the City Council. Daniel Garodnick, the City Council Member for that district, took up the Community Boards' concerns that the transit fund wouldn't raise enough money to be useful. Garodnick's vote was critical because City Council Members will usually look to the City Council Member in whose district the proposal is located for guidance on how to vote (and will expect that support in return).

The Department of City Planning proposed some changes. But with vocal opposition from the NY Times Editorial Board, and the powerful Hotel Trades Council opposing the project unless special requirements were added to get more hotels to pay union wages, Garodnick wasn't coming around.

Without his support there weren't enough votes to pass the proposal. With only seven days left for the City Council vote, Mayor Bloomberg withdrew the proposal. Why pull the proposal instead of letting it get voted down? If it was voted down, it would be harder to propose a rezoning in that neighborhood in the future. Pulling the proposal left space for future administrations to try again—as the de Blasio administration did in 2017.

After ULURP

Once ULURP is over, keep an eye on implementation. Are promises being kept? Benefits being provided when they should be?

The public can act as watchdog during this stage.

MAKE SURE COMMITMENTS ARE KEPT.

Keeping track of the **final decisions and commitments** is a good first step in making sure there is follow-through.

City Planning Commission reports are posted to the Department of City Planning (DCP) website and are publicly accessible. The level of detail varies a lot from case to case, though.

City Council resolutions are posted on the City Council website, but can be difficult to locate.

In 2016, the City Council passed a law requiring any promises the city makes to communities during ULURP to be posted online, and to track the status commitments over time in a "commitments tracker" that is updated every year by the end of June.

The City Council can also ask city agencies (like the Department of Buildings and DCP) to report in detail on whether developers and DCP are meeting community requirements.

Community Benefit Agreements are private contracts, but groups that are party to them should keep track of implementation. They can sue for breach of contract if the developer does not follow through.

It takes time and effort, but keeping an eye on promises made is critical to ensuring communities receive what they fight for during ULURP.

Using the ULURP Toolkit

This guidebook was created as part of CUP's ULURP Toolkit. This section will tell you how to use the toolkit to run your own workshops. If you'd like to get a toolkit, visit: welcometocup.org/ulurp

Public participation works best when everyone understands the basic laws, policies, and jargon they will hear at a public meeting.

The ULURP Toolkit can help you facilitate conversations about the land use review process in New York City and how it affects your neighborhood and the city.

The activities are designed to help people easily understand some of the core ideas behind ULURP. Once the group you're working with understands the basics, you might want to plug these tools into a broader discussion about how you think things should work or what you think should happen in your neighborhood. The tools themselves don't make arguments for or against different strategies, but they can help you make yours.

The toolkit includes different activities that you can use on their own or combined together (though some activities build on each other and may need to be used in sequence).

Using the ULURP Toolkit

The topics of the activities and the amount of time each takes (including time for discussion) are:

ACTIVITY 1

The basics of ULURP

10 minutes

ACTIVITY 2

The players and the process

30 minutes

ACTIVITY 3

Role-play the ULURP process for a neighborhood rezoning

45 minutes

ACTIVITY 4

Role-play the ULURP process for a development proposal

45 minutes

ACTIVITY 5

Tips for participating in ULURP

15 minutes

This guide is arranged so that things you might say out loud are in **blue**. The rest of the text provides information you'll need to be familiar with to lead the workshop. (You don't have to memorize it; just use this guide to help you. And use the other sections in this book to help you prepare.)

The length of the workshop varies, depending on which activities you do. Leave some extra time at the end to answer questions, talk about strategies for engaging in ULURP, or link the workshop to larger campaigns and initiatives in your community. Once people understand the concepts they are usually eager to talk about the next steps.

(Note: if there is a particularly controversial issue going on in your community, or if your audience includes a broad range of people with different levels of familiarity, or with competing views, you may want to schedule additional time for discussion.)

What's in the box?



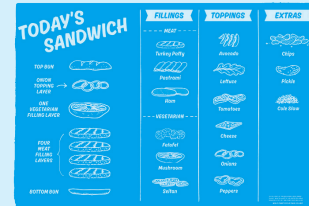
ULURP FELT WALL CHART

This is where you put the markers that show the different players in the process.



PLAYER MARKERS FOR FELT WALL CHART

These are markers for the different players in the process, which you can attach to the felt wall chart: one each for Developer, Department of City Planning, Community Board, Borough President, City Planning Commission, City Council, and Mayor; and three for Community Members. There are a total of 10 markers.



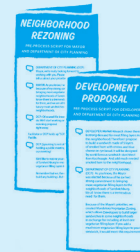
SANDWICH DIAGRAM

This shows the sandwich proposal going through the ULURP process in the role-play.



ROLE CARDS

This is a set of small cards with the different roles listed on them. Hand these out to participants to assign them roles. (See pages 123-125 for instructions on how to hand them out, based on the size of your group.)



PRE-PROCESS SCRIPTS

These are scripts that are acted out just before the ULURP process. There is one kind for neighborhood rezonings and one for development proposals.

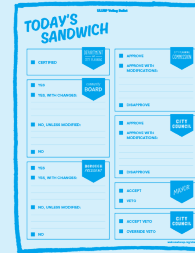
What's in the box?



PLAYER BACKGROUND CARDS

These cards describe each player's background and how they get points in the ULURP role-play. The cards are:

- Developer (in a rezoning)
- Developer (in a development)
- Department of City Planning
- Community Board
- Borough President
- City Planning Commission
- Local City Council Member
- City Council Member
- Mayor
- Community Member #1
- Community Member #2



ULURP VOTING BALLOT

This is a pad of checklists for participants to write their decision on during the ULURP process. Use one per workshop.



WHO'S WHO? HANDOUT

This is a pad of handouts to help participants remember who everyone is during the workshop. Participants can take this handout home.



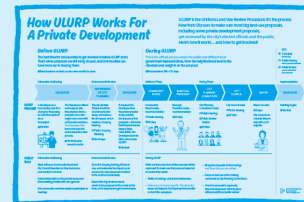
TENT CARDS

There are nine tent cards for players to prop up in front of their groups so others know who they are.



PADDLES

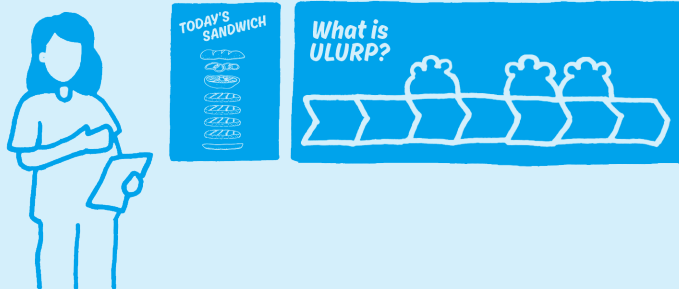
These are four "Public Hearing" paddles, one each for the Community Board, Borough President, City Planning Commission, and City Council, and one "Some Time Later" paddle for the Department of City Planning.



THE ULURP PROCESS HANDOUT

This is a pad of two-sided handouts for participants to take home with them, to help them remember the process. Hand this out at the end of the workshop.

Getting Started



Become familiar with the workshop

Before running the workshop, put aside a few hours to carefully read through all the instructions for the activities you want to do. Read carefully! Some parts are complicated.

Hang up the felt wall chart

The workshop requires wall space to hang the **ULURP felt wall chart** and the **sandwich diagram**. (If you're tight on space, the felt wall chart is more important to hang up.) To set up, use tape or tacks to affix the ULURP felt wall chart to a wall or other vertical



surface. Try to set up on a wall that's visible to everyone participating in the workshop. It's important to set this up vertically and not on a table, to make sure people can see it.

The ideal room setup is chairs in a semi-circle facing the wall where the ULURP felt wall chart and sandwich diagram are posted. If you have tables, try to set them up so people can face each other, and try to avoid a setup where people have their backs to each other.



Get materials and handouts ready

Lay out your materials for the workshop. It's helpful to organize the materials you'll hand out for each player in the ULURP process. Put together each player's **tent card**, **player background card**, and **paddle** (for those players that get them).

Get handouts ready ahead of time. You'll hand out the **Who's Who? handout** at the beginning of the workshop, so you can either hand it out as people enter, leave it on chairs ahead of time, or pass it out as you're getting started. If you're only doing the "Basics of ULURP" activities, you're all done!



Assign roles

If you're going to do either or both of the role-plays, you need to assign roles to all your participants. To do this, place the **role cards** in a paper bag, hat, or other large container—ideally one that is not transparent. As people enter the room, have them pull a role out of the container (or hand them one). Alternatively, you can wait until everyone is seated and then have them pull from the container. Make sure people are choosing blindly and not picking roles, and tell them they can't trade with others. This helps separate people who came together, which makes the workshop more effective.

Which cards do you use and how many? Since you can do a workshop with as few as six people to as many as 50 people (or more!), you'll need to adjust the number of role cards and make sure all the roles are covered. Some roles, like Mayor, only have one participant, while others, like Community Members, can have many more. The chart at right shows some possible options for different workshop sizes. The first column, reflects the minimum you need for the workshop to be effective (six people).

If you don't know how many workshop participants you'll have, prepare for the smallest number you think you'll get, and hand those role cards out. As more participants arrive, hand out role cards from the categories that allow for more participants.

WORKSHOP SIZE:	6 People	25	50
Developer	0 / One facilitator can play this role	1	1–2
Department of City Planning	0 / One facilitator can play this role	1	1–2
Community Board	1	4	8
Borough President	1	1	1
City Planning Commission	1	4	8
Local City Council Member	1	1	1
Other City Council Members	0	4	9
Mayor	1	1	1
Community Member 1	1	4	9
Community Member 2	0	4	9

(Note: for small workshops, the workshop facilitator can play the Developer or Department of City Planning roles—or both, if you have two facilitators, which we recommend.)

If you run out of role cards or other materials, visit: welcometocup.org/ulurp to order more or download a PDF that lets you print more.

Introductions

Before getting started, it's always good to introduce who you are, what your organization is (if you are representing one), and what you're there to do. Then have each participant (quickly) say their name, organization or neighborhood, and what they hope to learn. If your group is very large, you can use a show of hands to find out about people (how many people live in this neighborhood, etc.).

Why a sandwich?

The role-play parts of this workshop use a sandwich to stand in for a rezoning proposal. This gets participants to focus on learning about the ULURP process instead of getting caught up in the details of a specific proposal. See page 167 in Activity 5 for more information about the relationship between the sandwich and the real world.

ACTIVITY 1

The basics of ULURP

OBJECTIVE

This activity introduces what ULURP is, why it exists, and what goes through the process.

TIME

10 minutes

SETUP

1. Hang **ULURP felt wall chart**.



Today we're going to talk about ULURP. Does anyone know what ULURP stands for?

Uniform Land Use Review Procedure. Sometimes people know this already (or at least part of it), but often you will have to help them out.



And does anyone know what ULURP is? What's it for?

It's the official process that the city uses to review any big land-use decisions.



Let's look at each of those words, one at a time.

U is for Uniform. That means it's the same process every time. And everything that goes through ULURP takes the same amount of time to be reviewed.

It used to be that it could take a really long time for a proposal to be reviewed and there was no limit on how long it would take to complete. A uniform timeline makes it more predictable, which Developers really like, and many Community Members do too.

LU is for Land Use. Only things related to land use go through ULURP. What's land use?

Anything that relates to how land is used in the city, like zoning, development, construction, etc.



R is for Review. ULURP is a public review process. That means it's a way for the public to get to hear about and weigh in on major land-use decisions that might affect their community. Before ULURP, there was no consistent way for the public to be involved in major land-use decisions. ULURP was created to change that. "The public" here means that individuals can make their voices heard to some extent, but it mostly means that the local officials elected and appointed to represent the public have a formal and publicly visible way to review land-use issues.

P is for Procedure. That's just what it sounds like—a bureaucratic process.

So now that we know what ULURP is, what's it really used for? What kinds of things have to go through a ULURP process?

People will guess lots of things. The main idea behind ULURP is that if the government is involved with a development or major land-use decision in some way, it will probably go through ULURP. (So things that a Developer is allowed to do without getting special permission from the government are not reviewed—see page 15.)



ULURP review applies:

- **When public land is bought, given away, or sold.**

- When the city picks sites for new facilities, like a firehouse or sewage treatment plant.
- When the city’s official city map is changed (like when a street is added or removed).
- When the city proposes an urban renewal plan.
- When laws about land in the city or a particular piece of land are changed (like zoning, historic preservation, etc.).
- When the city or a private Developer proposes to build something that requires special approval from the City Planning Commission.

What doesn’t go through ULURP?

Most things!

Anything that is built “as-of-right” (meaning it’s allowed under existing rules and doesn’t require any special approval) doesn’t go through ULURP. That’s most of what gets built in NYC. So most development proposals don’t go through ULURP.

But if a Developer needs to get permission to do something major—which is more common for very large developments, especially ones that span multiple sites—they may have to go through ULURP.

ACTIVITY 2

The players and the process

OBJECTIVE

This activity introduces the steps in the ULURP process, as well as the different players, their backgrounds, and their roles.

PREREQUISITE

This builds on Activity 1.

TIME

30 minutes

SETUP

1. Hang **ULURP felt wall chart**.
2. Hand out **Who’s Who? handout**.
3. Decide ahead of time if you want to focus on a neighborhood rezoning or a development proposal. The information you’ll emphasize is slightly different for each. (Both appear below.)
4. Read up on each of the players.

(Note: for each player, you can refer to the “Who makes decisions” section of this book for more detailed background, but all the necessary information is summarized on the **Who’s Who? handout**. The key information to review in this activity is each player’s role in ULURP and how their position impacts their actions. Encourage everyone to refer to their handouts for answers.)



So how does ULURP actually work? What are the steps? We're going to look at that now.

ULURP is basically a process to review a land-use proposal at all levels of the city government, from the most local to citywide. So every proposal gets reviewed by lots of different people.

We're going to look at who's involved in the ULURP process for a [choose one: neighborhood rezoning or development proposal.]

DEVELOPMENT PROPOSAL:

If you are looking at a private development proposal, use these instructions. If you are looking at a neighborhood rezoning, skip to NEIGHBORHOOD REZONING on page 133.



For a development proposal, who do you think starts the whole ULURP process?

The Developer files an application with the Department of City Planning.

When someone guesses right, or you start to explain the answer, put the Developer marker on the left edge of the ULURP felt wall chart.



Who is the Developer? What does he/she do in ULURP?

HINT: it's on your handout!

Ask someone to read from their handout.

The Developer proposes, finances, oversees, and owns a development project, which is most often a proposed building or buildings. A Developer tries to get a proposal approved so he/she can make money on it. (There are nonprofit Developers, too! They try to get proposals approved to build things like affordable housing.)



Who did we say the Developer applies to?

Department of City Planning.

Put the Department of City Planning marker up on the felt wall chart.

Skip to the question below: "Who is the Department of City Planning?"

NEIGHBORHOOD REZONING:

If you are focusing on a neighborhood rezoning for your activity, start here.



For a neighborhood rezoning, who do you think starts the whole ULURP process?

The city, a Developer, or even a community group can propose a rezoning. But the "applicant" on the proposal will usually be the Department of City Planning. They will be the ones that take the application through the whole ULURP process.



Who is the Department of City Planning?

The important thing to emphasize here is that the Department of City Planning (or DCP) is a city

agency. All of its staff work for the city and for the Mayor. The head of the agency is personally appointed by the Mayor to help him/her carry out his/her land-use goals for the city.

When someone guesses right, or you start to explain the answer, put the Department of City Planning marker on the left edge of the ULURP felt wall chart (or to the right of “Developer,” if you’re doing a development proposal).

SAY What do they do in ULURP?
HINT: it’s on your handout!

Ask someone to read from their handout.

SAY Everything we’ve talked about so far happens before ULURP officially starts.

DEVELOPMENT: The Developer works with DCP early on to find out if they’re likely to approve the proposal and to get their input on how to change it to make it more likely to be approved.

READ ONE:

REZONING: DCP does a lot of neighborhood research and analysis before they prepare their neighborhood rezoning proposal for ULURP.

This process can take years and it all takes place before ULURP begins. When DCP says the application is complete, they officially

start the ULURP process by “certifying” the application and sending it to the other players to review.

Who is the first player that DCP brings the proposal to?

If no one is answering:

SAY Hint: What is the most local level of government?

The Community Board! Put the Community Board marker up on the felt wall chart.

SAY Who is the Community Board? How do they get their jobs? And what do they do in the ULURP process?

Have someone read the description on the Who’s Who handout. Add that they have 60 days to review the proposal.

SAY In ULURP, some players have actual votes and some only make recommendations. Which do you think the Community Board does?

Makes recommendations. They play only an advisory role.

Hold up the Community Board player background card, and point to the section showing the voting options.



When the Community Board reviews a ULURP proposal, they have four options for what they can recommend:

- YES
- YES, WITH CHANGES
- NO, UNLESS MODIFIED
- NO

What do you think the difference is between recommending “yes, with changes” and “no, unless modified”?

“Yes, with changes” says: “This proposal is basically okay but needs to be tweaked at the edges.” “No, unless modified” says: “This proposal is fundamentally not okay and needs to be significantly changed. We have real concerns about it going forward.”

A “no” recommendation sends a stronger signal that the other players in the process should deeply question the proposal.



So the Community Board can’t vote, but the other players in the process consider the Community Board to be the official place for input from neighborhood residents, so it still plays an important role. This also means that what the Community Board says will be seen as the local opinion, so it’s important to make sure they know your concerns.

You should also mention that the Community Board is required to hold a public hearing during their 60 day review period.



Okay, so who do you think gets the proposal next, after the Community Board?

The Borough President.

Put the Borough President marker up on the felt wall chart.



Who’s the Borough President? What does he/she do?

Have someone read the description on the Who’s Who handout. Review how the Borough President gets his/her position and what the Borough President does during ULURP.

Discuss who the Borough President might listen to in the process based on how he/she gets the position.

Hold up the back of the Borough President player background card to show the recommendation options.



The Borough President has 30 days to review the proposal and, like the Community Board, the Borough President only makes recommendations.



The Borough President can hold a public hearing too, but he/she is not required to.

Who do you think reviews the proposal next?

The City Planning Commission.

Put the City Planning Commission marker up on the felt wall chart.



Who is the City Planning Commission? What do they do?

Have someone read the description on the Who's Who handout. Discuss how they get their positions, and make sure everyone knows the majority are appointed by the Mayor.



Finally, we get to someone who votes in the process. The City Planning Commission is the first player that actually votes on the proposal rather than making a recommendation.

Hold up the back of the City Planning Commission player background card, and point to the section showing the voting options.



The City Planning Commission has 60 days to review the proposal, and they have to hold a public hearing during that time.

When the City Planning Commission reviews a ULURP proposal, they have three options:

- APPROVE
- APPROVE, WITH MODIFICATIONS
- DISAPPROVE

If the City Planning Commission “disapproves” the proposal, the process is over and the proposal doesn’t go forward. This rarely happens, but it can.

The role of the City Planning Commission is to review LAND-USE issues. That means they can only evaluate the proposal on its land-use “merits.” They’re looking to see whether the proposal has too many “adverse impacts” and that the public benefit it offers will be worth allowing the proposed changes.

They CAN’T consider anything that’s not land use. So things that might be part of a development or rezoning, like requiring that construction jobs go to union workers, or that workers in any new development receive a living wage, can NOT be considered by the City Planning Commission.

What is the difference between the Department of City Planning and the City Planning Commission?

The Department of City Planning is a city agency, while the City Planning Commission (or CPC) is an appointed decision-making body. Department of City Planning staff work for the city, and CPC is made up of independent professionals all of

whom have other jobs—except for the head of the City Planning Commission who is also the head of the Department of City Planning.

SAY Who do you think reviews the proposal next, after the City Planning Commission?

The City Council.

Put the City Council marker up on the felt wall chart.

SAY Who's the City Council? What do they do? How do they get their jobs?

Have someone read the description on the Who's Who handout.

SAY They have 50 days to review the proposal and decide if they agree with the City Planning Commission's decision. The City Council doesn't have to review every City Planning Commission decision. But they do review all major neighborhood rezonings, and many big development proposals. Like the City Planning Commission, they vote on the proposal.

Most of the time City Council Members look to the Local City Council Member from the district the proposal will affect for guidance on how to vote. Why do you think they do that?

The Local City Council Member generally knows the issues in his/her district better, but Council

Members also hope the rest of the Council will return the favor and defer to them when a proposal in their district comes up.

SAY Unlike the City Planning Commission, the City Council can consider the bigger picture around the proposal, beyond just land use. So they can consider issues like labor practices, for example, or how a Developer is responding to community concerns.

Since they are a law-making body, they can also write legislation to back up their concerns, or they can make sure commitments from city agencies get included in the city budget.

That means they're more flexible in what they can consider in ULURP, and they have other tools to make sure promises in the ULURP proposal are actually implemented.

So, who's left?

The Mayor.

Put the Mayor marker up on the felt wall chart.

SAY Who's the Mayor? How does he/she get the job and what does a Mayor do?

Have someone read the description on the Who's Who handout.

SAY

The Mayor can let the City Council decision stand if he/she agrees with it. If not, the Mayor has five days to veto their decision. But then the City Council has up to 10 days to override that veto (if 2/3 of them vote to override).

In reality, the Mayor almost never vetoes a proposal. For a neighborhood rezoning, if the Mayor thinks it's going to be rejected, he/she can pull the application to prevent that from happening.

It looks like the Mayor plays only a small role in the process, but remember that the Mayor appoints the head of the Department of City Planning (who is also the head of the City Planning Commission) and the majority of the City Planning Commission. So the Mayor is the person who probably has the most say over the process.

Okay, so who's missing from this process?

The community!

SAY

Where do you think they come in? What's their role in ULURP?

Have someone read the description on the Who's Who handout. Community Members can advocate throughout the process, but ULURP creates a few places where Community Members can formally participate—the public hearings.

SAY

The Community Board, City Planning Commission, and City Council are all required by law to hold public hearings, and the Borough President can hold one if he/she wants to.

Put up the Community Member markers over each player that holds a public hearing, as you name each of them.

SAY

Every comment Community Members make goes into the public record, which can help add transparency to the process. And ultimately the community has the power to hold elected people accountable on election day. We'll talk more about how community members can get involved at the end of this workshop.

So that's ULURP—all the people who have a role in it, and the steps in the process.

ACTIVITY 3

Role-play the ULURP process for a neighborhood rezoning

OBJECTIVE

This activity uses role-playing to address the steps, the players, and the politics that shape the process of a neighborhood rezoning proposal.

PREREQUISITE

This builds on Activities 1 and 2.

TIME

45 minutes

SETUP

1. The facilitator(s) should have read through the **player background cards** and **neighborhood rezoning pre-process script** ahead of time and be pretty familiar with each player's interests.
2. Hang **ULURP felt wall chart** and **sandwich diagram**.
3. Prepare **player background cards**, **neighborhood rezoning pre-process script**, **paddles**, and **tent cards** to be handed out during activity.
4. Prepare **ULURP voting ballot**; it's helpful to put it on a clipboard and attach a pen.
5. Prepare a stopwatch that can count 3 minute intervals.
Once you're ready to go:
6. Pass out **role cards** to all participants (see page 123).
7. Hand out **Who's Who? handout**.



Now that you understand the ULURP process, we're going to try it out ourselves! We're going to review a proposal to rezone part of a neighborhood.

What's zoning?

It's the set of rules that say what property owners can do with their property—what they can build and how big it can be.



So what's a rezoning?

It's when those rules get changed. They might get changed to allow bigger buildings, for example, or to change the kinds of uses that are allowed—like from factories to housing. **Rezonings don't change what's currently built, but instead change the rules that owners have to follow to build something new. This can create pressure to build that might lead to rapid change in some neighborhoods.**

Now, we're going to break up into our groups before we get started.

Ask each of the participants to look at their **role cards**. Then call out each of the players (Developer, DCP, etc.) and ask people to raise their hands to identify themselves. Have everyone get up and go sit with the other participants with the same role cards. Point out that there are two kinds of Community Members with different

goals, but they should sit together in the same group. There is also only one Local City Council Member, with a slightly different role than the rest of the City Council, but all City Council Members should sit together.

Ask everyone to keep their seats facing the circle when they relocate. Once everyone is in place:

SAY

It looks really straightforward up on that wall, but the actual ULURP process is a lot more complicated. So let's see how it works. What does it take to get a proposal through the ULURP process?

Today, we're going to look at a neighborhood rezoning proposal. (ULURP is slightly different for rezoning and development proposals, but we're focusing on rezoning right now.)

We're going to do something a little unusual though. Our rezoning proposal is for the neighborhood of Sandwichburg. Instead of buildings, it's made up of, well, sandwiches. So we're going to be looking at a proposal to change the size and types of sandwiches that make up our community.

It will make more sense soon!

Like buildings, sandwiches are made up of lots of layers.

And different neighborhoods have different preferences for what they like—some are wealthy and like sandwiches with lots of meat. Others like to be more inclusive with lots of vegetarian fillings.

Here's how a sandwich works.

Show the participants the sandwich diagram on the wall. Point to the different parts of the sandwich as you talk through the rules below.

SAY

Sandwiches have different kinds of layers.

- 1. All sandwiches have to be built with BREAD on bottom and on top. It's not a sandwich without bread, right?**
- 2. The main parts of every sandwich are the FILLINGS. There can be different kinds of fillings, including meat ones (like turkey, pastrami, and ham) or vegetarian ones (like seitan, falafel, and portobello mushroom). The city has rules about how many filling layers a given sandwich can have in a particular neighborhood. It's in the zoning.**
- 3. Sandwiches can have TOPPINGS too. These are things that are nice to have and that make up part of the sandwich. They're like amenities in buildings, things like onions, tomato, and lettuce. The city doesn't limit how many of these a sandwich can have.**

4. Sandwiches can also come with EXTRAS, which are sides and therefore not part of the sandwich itself, but come on the side along with the sandwich or impact how the sandwich gets built. These can include a pickle, chips, and fair wages for sandwich makers. The city doesn't limit how many of these can come with a sandwich.

You may need to ask if everyone understands the difference between toppings and extras. Make sure they do before moving on.



Now that we understand what we're dealing with, I'm going to hand out some materials about your roles, and give you a couple of minutes to read up on who you are and what you care about.

Take a minute to hand out the **player background cards, paddles** (to the Community Board, City Planning Commission, and City Council), and **tent cards**. (There are multiple copies of the player background cards, so you can decide how many to hand out based on the size of your workshop.) Be sure the Developer gets the card that says "**Developer in a neighborhood rezoning**." (You don't need the card that says "Developer in a development proposal" for this activity.) The Local City Council Member card is the same color as the rest of the City Council—make sure everyone gets the right card.



Okay, take two to three minutes to read up on who you are and what you care about. It's important that as we play this game you really follow the things listed on your player background cards, even if you disagree with them in real life. That way we can see what the process is really like and learn the most about how ULURP really works.

(Later on, during the actual role-play, if you find people acting in ways inconsistent with their roles, gently steer them back by saying something like "Are you sure that's what the [insert role] thinks about this?" or "I thought the [insert role] was much more in favor of...")

Give them some time to read and talk with others in their group, and answer any questions that come up.



Okay, now you know who you are and what you're trying to win in the ULURP process. We're going to act out the whole process shortly. But by the time ULURP starts, a lot has already happened to shape the proposal. So first let's find out more about this proposal and where it came from...

I need the Mayor and the Department of City Planning to come up and help me with this.

Give the Mayor and DCP copies of the **neighborhood rezoning pre-process script** and have them read off it. (Note: only use the

neighborhood rezoning pre-process script. You don't need the development proposal pre-process script for this activity.)

After the script has been read out loud, review the proposal using the sandwich diagram to make sure everyone understands it: 4 meat filling layers of any kind, 1 mushroom vegetarian filling layer, onion toppings are allowed. Answer any questions before moving on.



So that's our proposal. Now here's what we're going to do. You'll have three minutes to talk to anyone you want to. This is before ULURP officially starts—and this is when you want to be smart about who you talk to and who you'll ask for their opinion. Use it wisely! Lots of ULURP gets shaped in these behind-the-scenes conversations!

Then we'll take the proposal through the ULURP process. Each group will have a time limit—but instead of 50–60 days to review the proposal, it's just three minutes! Use your three minutes to review the proposal and recommend or vote on it.

If you are required to have a public hearing (Community Board, City Planning Commission, City Council), you have to hold it during your three minutes. When you're ready to hold your hearing, hold up your Public Hearing paddle. That's everyone else's cue to come and

participate. Remember to leave enough time to vote after your hearing.

We will pass this clipboard around and as you vote/recommend write down your FULL recommendation or vote, including ANY changes/modifications you are making on the ULURP voting ballot—or else they don't count. I'll keep time and read the decision after each vote.

Remember to follow the agenda on your cards, and remember that you're trying to WIN!

Any questions?

Get out the clipboard with the **ULURP voting ballot** and get your timer out.

Tell them to get ready to start the three minutes of pre-ULURP conversation. When everyone is ready, hit your timer and tell them to go. When one minute is left, give them a warning, and then again at 30 seconds. When time is up, say so and get them to return to their seats.

Again, remind everyone what the proposal is and answer any questions, then bring your clipboard with the ULURP voting ballot over to the Department of City Planning, start your timer, and say go!

Your job is to keep the process moving. Make sure you remind the players that need to have public hearings to do so (though it's their call on when and how long it will be). And remind each player that they need to fully write down any changes they are asking for before the time is up. (Or you can be generous and let them go over a bit. But keep track of time so there's enough time for discussion at the end!)

After each player, look at the ULURP voting ballot and announce to the whole room what was recommended or voted. Then take it to the next player in the process and repeat.

If someone is confused or advocating for something that you think is inconsistent with their character, gently remind them to consider the goals listed on their player background card. You might say "Are you sure that's what you think?"

Once time is up:



What happened? Who won? Let's go around and see how each of you did.

Go around the room to each player and ask what they were trying to achieve and figure out together how many points they got. After each, add the points up to see who "won" ULURP and discuss why. (The points are really to help participants understand who comes out ahead in the ULURP process, not to determine a precise "winner.")



If you had to do it again, would you have a different strategy? What would you have done?

Have a general discussion where you talk about what happened—who did well, who didn't, what kinds of changes were easy to get, what kinds weren't, etc. Go over how a lot happens to shape the proposal before ULURP even starts.

It's good to revisit the part about the Environmental Impact Statement (EIS) too. Ask if that part was confusing. It should be! The workshop is set up to mimic how confusing that part is in the real world. Often, it's the first time communities hear about a proposal. Even more often, they don't hear about the EIS public scoping meeting at all and only learn about the proposal after it's actually gone into ULURP. But this can be an important time to shape what issues can come up during ULURP later on.

This is a good segue into Activity 5, which we highly recommend doing.

If you are ending here though, remember to collect cards, paddles, etc. from the groups, but let them keep their **Who's Who?** and the **ULURP process handouts**. If you didn't hand out the latter, you can do that now and let people know it's a summary of what they learned today and they can keep it for future reference.

ACTIVITY 4

Role-play the ULURP process for a development proposal

OBJECTIVE

This activity uses role-playing to address the steps, the players, and the politics that shape the process of a development proposal.

PREREQUISITE

This builds on Activities 1 and 2. (You can skip 3.)

TIME

45 minutes

SETUP

1. The facilitator(s) should have read through the **player background cards** and **development proposal pre-process script** ahead of time and be pretty familiar with each players' interests.
2. Hang **ULURP felt wall chart** and **sandwich diagram**.
3. Prepare **player background cards**, **development proposal pre-process script**, **paddles**, and **tent cards** to be handed out during activity.
4. Prepare **ULURP voting ballot**; it's helpful to put it on a clipboard and attach a pen or marker.
5. Prepare a stopwatch that can count 3 minute intervals.

Once you're ready to go:

6. Pass out **role cards** to all participants. (See page 123).
7. Hand out **Who's Who? handout**.



Now that you understand the ULURP process, we're going to try it out ourselves. We're going to review a proposal for a major development by a private Developer. Since the Developer wants the city to rezone the blocks the development will be located on, **ULURP is required**.

You may want to review which kinds of private development proposals go through ULURP—not many, just those that require things like a rezoning for their site, a change to the city map, or some other out-of-the-ordinary changes from the existing zoning/land use rules for their site. Note: a development proposal is much smaller than an area-wide neighborhood rezoning.



What's zoning?

It's the set of rules that say what property owners can do with their property—what they can build and how big it can be.



So what's a rezoning? It's when those rules get changed. They might get changed to allow bigger buildings, for example, or to change the kinds of uses that are allowed—like from factories to housing. Rezonings don't change what's currently built, but instead change the rules that owners have to follow to build something new. This can create pressure to build that might lead to rapid change in some neighborhoods.

Now, we're going to break up into our groups before we get started.

Ask each of the participants to look at their **role cards**. Then call out each of the players (Developer, Department of City Planning, etc.) and ask people to raise their hands to identify themselves. Have everyone get up and go sit with the other participants with the same role cards. Point out that there are two kinds of Community Members with different goals, but they should sit together in the same group. There is also only one Local City Council Member, with a slightly different role than the rest of the City Council, but all City Council Members should sit together.

Ask everyone to keep their seats facing the circle when they relocate.

Once everyone is in place:



It looks really straightforward up on that wall, but the actual ULURP process is a lot more complicated. So let's see how it works. What does it take to get a proposal through the ULURP process?

Today, we're going to look at a major development proposal. (ULURP is slightly different for neighborhood rezonings and development proposals, but we're focusing on a development proposal right now.)

It's a little bit unusual, though. A Developer has a major proposal for our neighborhood of Sandwichburg, which instead of buildings, is made up of, well, sandwiches. So we're going to be looking at the Developer's proposal for new sandwiches and how it would impact our community. But before we look at the proposal, let's learn more about our special neighborhood and how these sandwiches are built.

Like buildings, sandwiches are made up of lots of layers.

And different neighborhoods have different preferences for what they like—some are wealthy and like sandwiches with lots of meat. Others like to be more inclusive with lots of vegetarian fillings.

Here's how a sandwich works.

Show the participants the sandwich diagram on the wall. Point to the different parts of the sandwich as you talk through the rules below.



Sandwiches have different kinds of layers.

- 1. All sandwiches have to be built with BREAD on bottom and on top. It's not a sandwich without bread, right?**
- 2. The main parts of every sandwich are the FILLINGS. There can be different kinds**

of fillings, including meat ones (like turkey, pastrami, and ham) or vegetarian ones (like seitan, falafel, and portobello mushroom). The city has rules about how many layers a given sandwich can have in a particular neighborhood. It's in the zoning.

3. Sandwiches can have TOPPINGS too. These are things that are nice to have and that make up part of the sandwich. They're like amenities in buildings, things like onions, tomato, and lettuce. The city doesn't limit how many of these a sandwich can have.
4. Sandwiches can also come with EXTRAS, which are sides and therefore not part of the sandwich itself, but come on the side along with the sandwich or impact how the sandwich gets built. These can include a pickle, chips, and fair wages for sandwich makers. The city doesn't limit how many of these can come with a sandwich.

You may need to ask if everyone understands the difference between toppings and extras. Make sure they do before moving on.

SAY Now that we understand what we're dealing with, I'm going to hand out some materials about your roles, and give you a couple of minutes to read up on who you are and what kinds of sandwiches you care about.

Take a minute to hand out the **player background cards**, **paddles** (to the Community

Board, City Planning Commission, and City Council), and **tent cards**. (There are multiple copies of the player background cards, so you can decide how many to hand out based on the size of your workshop.) Be sure the Developer gets the card that says "**Developer in a development proposal**." (You don't need the card that says "Developer in a neighborhood rezoning" for this activity.) The Local City Council Member card is the same color as the rest of the City Council—make sure everyone gets the right card.

SAY Okay, take two to three minutes to read up on who you are and what you care about. It's important that, as we play this game, you really follow the things listed on your player background cards, even if you disagree with them in real life. That way we can see what the process is really like and learn the most about how ULURP really works.

(Later on, during the actual role-play, if you find people acting in ways inconsistent with their roles, gently steer them back by saying something like "Are you sure that's what the [insert role] thinks about this?" or "I thought the [insert role] was much more in favor of...")

Give them some time to read and talk with others in their group, and answer any questions that come up.



Okay, now you know who you are and what you're trying to win in the ULURP process. We're going to act out the whole process shortly. But by the time ULURP starts, a lot has already happened to shape the proposal. So first let's find out more about this proposal and where it came from...

I need the Developer and the Department of City Planning (DCP) to come up and help me with this.

Give the Developer and DCP copies of the **development proposal pre-process script** and have them read off it. (Note: Only use the development proposal pre-process script. You don't need the neighborhood rezoning pre-process script for this activity.)

After the script has been read out loud, review the proposal using the sandwich diagram to make sure everyone understands the proposal: 4 filling layers of smoked ham, 1 mushroom vegetarian filling layer, onion toppings are allowed, on rye bread, no extras. Answer any questions before moving on.



Now that we have settled on the sandwich that is going to go through ULURP, we can start the process.

Now here's what we're going to do. You'll each have three minutes to talk to anyone you want to; this is before ULURP officially starts—and

this is when you want to be smart about who you talk to and who you'll ask for their opinion. Use it wisely! Lots of ULURP gets shaped in these behind-the-scenes conversations.

Then we'll take the proposal through the ULURP process. Each group will have a time limit—but instead of 50-60 days to review the proposal, it's just three minutes! Use your three minutes to review the proposal and recommend or vote on it.

If you are required to have a public hearing (Community Board, City Planning Commission, City Council), you have to hold it during your three minutes. When you're ready to hold your hearing, hold up your Public Hearing paddle. That's everyone else's cue to come and participate.

Remember to leave enough time to vote after your hearing.

We will pass this clipboard around and as you vote/recommend write down your FULL recommendation or vote, including ANY changes/modifications you are making on the ULURP voting ballot—or else they don't count.

I'll keep time and read the decision after each vote.

Remember to follow the agenda on your cards, and remember that you're trying to WIN!

Any questions?

Get out the clipboard with the **ULURP voting ballot** and get your timer out.

Tell them to get ready to start the three minutes of pre-ULURP conversation. When everyone is ready, hit your timer and tell them to go. When one minute is left, give them a warning, and then again at 30 seconds. When time is up, say so and get them to return to their seats. Again, remind everyone what the proposal is and answer any questions, then bring your clipboard with the ULURP voting ballot over to the Department of City Planning, start your timer, and say go!

Your job is to keep the process moving. Make sure you remind the players that need to have public hearings to do so (though it's their call on when and how long it will be). And remind each player that they need to fully write down any changes they are asking for before the time is up. (Or you can be generous and let them go over a bit. But keep track of time so there's enough time for discussion at the end!)

After each player, look at the ULURP voting ballot and announce to the whole room what was recommended or voted. Then take it to the next player in the process and repeat.

If someone is confused or advocating for something that you think is inconsistent with their character, gently remind them to consider the

goals listed on their player background card. You might say “Are you sure that’s what you think?”

Once time is up:



What happened? Who won? Let's go around and see how each of you did.

Go around the room to each player and ask what they were trying to achieve and figure out together how many points they got. Add them up to see who “won” ULURP and discuss why. (The points are really to help participants understand who comes out ahead in the ULURP process, not to determine a precise “winner.”)



If you're the Developer, what do you want to do before you start?

If you're a Community Member, who do you think you should talk to? Why?

If you had to do it again, would you have a different strategy? What would you have done?

Have a general discussion about what happened—who did well, who didn't, what kinds of changes were easy to get in, what kinds weren't, etc. Go over how a lot happens to shape the proposal before ULURP even starts.

It's good to revisit the part about the Environmental Impact Statement (EIS) too.

Ask if that part was confusing. It should be! The workshop is set up to mimic how confusing that part is in the real world. Often, it's the first time communities are hearing about a proposal. Even more often, they don't hear about the EIS public scoping meeting at all and only learn about the proposal after it's actually gone into ULURP. But this can be an important time to shape what issues can come up during ULURP later on.

This is a good segue into Activity 5, which we highly recommend doing.

If you are ending here though, remember to collect cards, paddles, etc. from the groups, but let them keep their **Who's Who?** and **ULURP Process handouts**. If you didn't hand out the latter, you can do that now and let people know it's a summary of what they learned today and they can keep it for future reference.

ACTIVITY 5

Tips for participating in ULURP

OBJECTIVE

This activity is a guided discussion to address the best ways for communities to engage in the ULURP process.

PREREQUISITE

This builds on Activities 3 or 4. It's a good way to end a workshop, regardless of which activities you do!

TIME

15 minutes

SETUP

1. The facilitator(s) should have read through the "How do you get involved" section in this book ahead of time and be pretty familiar with the strategies; they are also summarized on the **ULURP Process handout**.
2. Hang **ULURP felt wall chart**.
3. Hand out **Who's Who? handout**.
4. Hand out the **ULURP Process handout**.

This activity is just a general discussion of the ULURP process and strategies for effective participation. Build off of the discussion in the previous activities, reflecting on the activity and what worked, what didn't, what was confusing, etc.

This is an important time to step back from the abstract exercise of working with sandwiches and a good time to make more explicit connections to real issues going on in the city. Since that will vary by community, we offer some general points to consider rather than a scripted exercise here. You may also want to draw on the **How do you get involved?** section of this book.

Some key points to discuss:

1. Who should communities focus their efforts on in the process? Who has the most power? Who is the most responsive to their concerns?
2. When to start getting involved (early!) and how to engage depending on where we are in the process.
3. The power of organizing in groups and coalitions, rather than doing it alone.
4. Being realistic about what can be achieved at which stage in the process—more can be done before ULURP than during.
5. It's also helpful to reference the case studies from this book throughout the discussion, to give real world examples of what can go wrong in ULURP and what kinds of successes can be achieved.

If you did Activities 3 or 4, you may also want to discuss the relationship between the sandwich and real world development.

Meat fillings = market rate housing

Vegetarian fillings = affordable housing

Toppings = desirable things for the community related to land use like a public plaza, community center, or parking options

Extras = community benefits beyond the land-use scope of the proposal itself, like fair wages for workers in any jobs created, union labor for construction of the building, programming for the public spaces of the buildings, etc.

At the end of the workshop, participants often want to get involved or figure out next steps for their community. The workshop can be especially powerful if it's followed up with information about organizing campaigns, or information about organizations who are actively engaging in these issues.

If you have questions or feedback on this guidebook or toolkit, please share it with us at:
ulurp@welcometocup.org

The basic timeline for the official ULURP process:

(See **What happens when?** section on page 38 for more details.)

ULURP is set up to allow community members and local government from the most local level to the citywide level weigh in on land-use proposals.

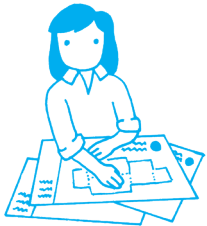
The whole process takes up to a maximum of 215 days.

- KEY:**
- 🕒 Time Limit
 - 🗣️ Public hearing



DEPARTMENT OF CITY PLANNING
certifies application to start the ULURP process.

- 🕒 No time limit



COMMUNITY BOARD
makes advisory recommendation on proposal.

- 🕒 60 days
- 🗣️ Public hearing



BOROUGH PRESIDENT
makes advisory recommendation on proposal.

- 🕒 30 days



CITY PLANNING COMMISSION
votes on proposal.

- 🕒 60 days
- 🗣️ Public hearing



CITY COUNCIL
votes on proposal.

- 🕒 50 days
- 🗣️ Public hearing



MAYOR
approves or vetoes proposal.

- 🕒 5 days





This book is part of the **Envisioning Development Toolkits**, a series of teaching tools that foster conversations and group learning about land use and urban development in New York City.

The Envisioning Development Toolkits allow everyday New Yorkers to use the language that professionals use to describe land-use processes and outcomes. They provide visual and tactile tools to facilitate discussions, describe and clarify problems, and propose and communicate solutions.

What Is ULURP? breaks down the Uniform Land Use Review Procedure and how you can get involved. Find out more about this and other tools at: welcometoCUP.org

