



**New York City Council Committee on Land Use  
POPs Reporting Legislation  
June 29, 2016  
Tupper Thomas, Executive Director**

Good afternoon, I am Tupper Thomas, Executive Director of New Yorkers for Parks, the citywide independent organization championing quality parks and open spaces for New Yorkers in all neighborhoods.

I'm here today to strongly support the proposed legislation to require semiannual reporting on the compliance statuses of privately owned public spaces by the Department of City Planning and the Department of Buildings. We applaud the move to create transparency and to make this reporting, which tracks compliance, violations and enforcement actions, available to the public.

There has been much attention in recent months focused on the quality and use of the plazas and arcades that are privately operated public spaces. New Yorkers for Parks believes that improving the quality of these POPs is important, and to do so requires understanding the existing conditions more thoroughly, and that starts with knowing whether they may actually be accessed by the public.

We are pleased that the City Council is proposing new checks that will help the city understand how and if these public spaces are performing, but we are concerned that they do not go far enough, and that is especially troubling now. At this time, all over

the city, we are seeing the loss of public spaces due to development and increasing privatization.

In some neighborhoods we are seeing city agencies like HPD and authorities like NYCHA surrender public open spaces, including community gardens and children's playgrounds, for residential development. In other neighborhoods, the development of new residential units is creating an additional burden for existing open spaces, particularly in communities undergoing zoning changes, where increased population density is being contemplated without the necessary acquisition of land for new parks and open spaces. In this moment, the POPs of New York City are increasingly more critical elements of the public realm, and part of what makes this a livable city.

The plazas and arcades created through the tool of incentive zoning represent creative thinking; balancing a benefit for developers with a benefit for the public. Obviously the additional heights allowed for development have been realized, and it is important that each and every POP provide the public benefit intended when the development incentive was granted. The New York City Plaza Program through the Department of Transportation has modeled in recent years how well new plazas and arcades can function as popular and much-needed open spaces in communities.

The City has for too long let the POPs function without basic oversight, resulting in privatization of these spaces in some cases, neglect or inaccessibility in others. We cannot let these open spaces be lost, but believe that getting a handle on each one with regularly reporting is a good first step.

Thank you.