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Comments Concerning Proposed Waterfront Design Standards Text Amendment

*American Institute of Architects New York Chapter / American Society of Landscape Architects
New York Chapter / American Planning Association NY Metro Chapter*

This is a jointly developed statement by the AIA, APA and ASLA, collectively representing over 6,000 design and planning professionals in New York. We would like to extend our thanks to the Department of City Planning staff for participating in a well attended public forum that we all hosted at the AIA's Center for Architecture on the morning of Friday, February 20th.

We begin by applauding the City Planning Department's effort to update the 1993 Waterfront Text. New York City's waterfront is perhaps our most underutilized natural asset, and today we are seeing great examples of waterfront development all across the city. These amendments are a significant step towards improving the built environment along our city's edges.

While we whole-heartedly agree with the stated goals of these amendments, we believe that this revision process creates an opportunity to address key planning issues associated with the waterfront and to confront head-on emerging waterfront concerns.

However, the revisions do not yet effectively deal with these concerns. At the same time, the design standards create problems that should be corrected. We therefore recommend that the proposed zoning revisions be refined to acknowledge these problems, and if approved be done so only with a commitment to a second phase of study and public input.

Climate Change, Sustainability, and the Water's Edge

As the Mayor's February 17, 2009 report stated, climate change is a fact, not a theory. Rising sea levels coupled with increased storm surges and changes in coastal ecologies will increasingly become apparent. We are concerned that the text amendments do not currently respond to these issues. Beyond climate change, how is the waterfront's role in the future sustainability of New York City addressed? Are we promoting the use of green materials and protecting shorelines? Are larger ecological and physiographic structures in the landscape considered in the guidelines? Are we reducing or actually increasing the need for maintenance of waterfront improvements? In short, how can we promote the creation of high performance waterfront infrastructure?

Inter-Agency Coordination at the Waterfront

As design professionals, we - and our clients - are often in the position of negotiating conflicting regulations. Increasing the public's interaction with the water's edge raises as yet unresolved concerns of responsibility and liability. We strongly recommend that effective coordination occur between the relevant City, State and Federal agencies that are interconnected with this proposal. Given the economic downturn, it is an excellent time to plan more comprehensively for an interagency waterfront strategy.

We see at least five areas where there needs to be critical coordination with other agencies:

- DEC – wetlands, water coverage, water quality
- DPR – transfer of maintenance responsibilities
- DEP – storm water management, CSOs, brownfield cleanup
- FEMA – updating of flood maps, flood insurance
- US Army Corps of Engineers—waterfront resource management

All three of our professional organizations stand ready to work with the Department of City Planning to help an interagency task force define procedures that will coordinate NYC's overlapping issues and often contradictory approval process. We believe that this is of the utmost importance.

Design Standards

We have many detailed and critical comments concerning the design reference standards. Some immediate concerns to highlight are the excessive and confusing criteria for shaded seating, the impact of seating requirements when extrapolated to larger sites, the unrealistic restrictions on heights of fencing and gates to private property, security concerns with regard to expanded hours of operation, and the continued requirement for overly-specific building articulation.

These amendments also raise the issue of how to provide design flexibility while also assuring continuity between independently owned and differently developed properties. If, in fact, the Parks Department is to take over maintenance of waterfront improvements, how will Park's often differing standards for materials, plantings and infrastructure be integrated into the design and planning of these projects?

In summary, we feel this is a laudable effort but that it will impose unforeseen functional, procedural and cost impacts on the development projects on which it relies for its implementation. It needs further analysis and should only be approved with a commitment to study, correct and refine its current shortcomings. Again, we would like to thank you for this opportunity to share our thoughts on these important improvements to the Waterfront Text. While these amendments will help to dramatically improve the design of public spaces along the waterfront, we believe that they are just the first step in developing a coordinated approach to dealing with our wonderful yet increasingly vulnerable water's edge.

Thank you.