

**TESTIMONY OF THE REAL ESTATE BOARD OF NEW YORK, INC. BEFORE THE
NYC CITY COUNCIL IN FAVOR OF THE PROPOSED "KEY TERMS
CLARIFICATION" ZONING TEXT AMENDMENT #N11009OZRY**

January 25, 2011

The Real Estate Board of New York, Inc. (REBNY) is a broadly based trade association of over 12,000 owners, developers, brokers and real estate professionals active throughout New York City. We support the proposed "Key Terms Clarification" Zoning Text Amendment.

All those relying upon the Zoning Resolution need clear definitions and a text that provides certainty to all parties as to the meaning of words and the practical implications of the regulations. The interchanging of words like "building", "development" and "zoning lot" throughout the text has made for many ambiguous passages. This text change would clarify these and other confusing issues in the Zoning Resolution, making it a fairer and more effective land use regulation. This will be helpful for ensuring orderly development and timely approvals.

We would like to commend the excellent work of City Planning staff as well as acknowledge the hard work put in by several REBNY members and other real estate and design professionals who offered comments on the draft work. This outreach process by City Planning was a good example of the productive exchange of ideas that can occur through meaningful collaboration.

We appreciate that the City Planning Commission has included a year-long time period for the completion of alterations and enlargements. This provision will prevent disruption for both applicants and the Department of Buildings. We recommend an additional transition period for applicants so that the new text would not be applicable to new buildings filed as of the effective date of the amendment and that the effective date be set several

months later than the date of City Council approval. The massive number of changes to the text in virtually every article and chapter will create a lot of work for the Buildings Department and for applicants, if they have filed but not vested, to have to redo their plans to make sure that everything in the plans is updated. We don't think this would affect that many projects, but it would protect any that are very far along in the pipeline from a chaotic process.

We have also suggested that the Department of City Planning, in consultation with architects and communities, continue to monitor the implementation and impacts of the new text to ensure that there aren't any unintended consequences and be prepared to do any necessary follow-up corrections.

We support this effort to clarify the Zoning Resolution and we urge the City Council to vote in favor of this application.