

POLICY BRIEF

A Public Champion
for the Public Realm



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DIRECTOR OF THE PUBLIC REALM POLICY BRIEF

From pandemic to protest, the events of 2020 have underscored the role of public space in urban life. New York may be best known for its skyline but roughly 40 percent of its land area is composed of streets, sidewalks, plazas, arcades, waterfronts, parks, natural areas, playgrounds, community gardens, and Privately Owned Public Spaces (POPS), which collectively form the public realm.^{1 2}

These public spaces are critical to life in a dense city under the best circumstances and only more so today, when social distancing has become a public health imperative. These are also the areas where we gather to assert our most sacred rights as citizens—freedom of speech and peaceful assembly, and the right to demand a redress of grievances.

The inequitable distribution of public space in the city has only become more evident as the pressures of 2020 bear down on us, as has disagreement about best management approaches to public spaces—including which ones to keep open, where to expand access, and whether or how to police them. Many global cities acted quickly and effectively to expand access within the public realm by opening streets to pedestrians and outdoor dining. New York City, however, initially dismissed these relatively simple interventions as infeasible before ultimately proceeding

with its Open Streets and Open Restaurants initiatives.

And while these initiatives were embraced by New Yorkers following their eventual roll out, recent analyses by The Trust for Public Land and Transportation Alternatives showed that these open streets are disconnected and do not meet the needs of many communities suffering from a lack of open space.³⁴ The City has also been criticized for failing to properly manage and ensure usability of these spaces in many neighborhoods.⁵

Large public demonstrations held in the wake of George Floyd's murder have also forced a reexamination of the decision-making around both access and regulation of public space within cities. The issue is complicated by the fact that there are often different and sometimes contradictory agency guidelines for public space use. Addressing racial

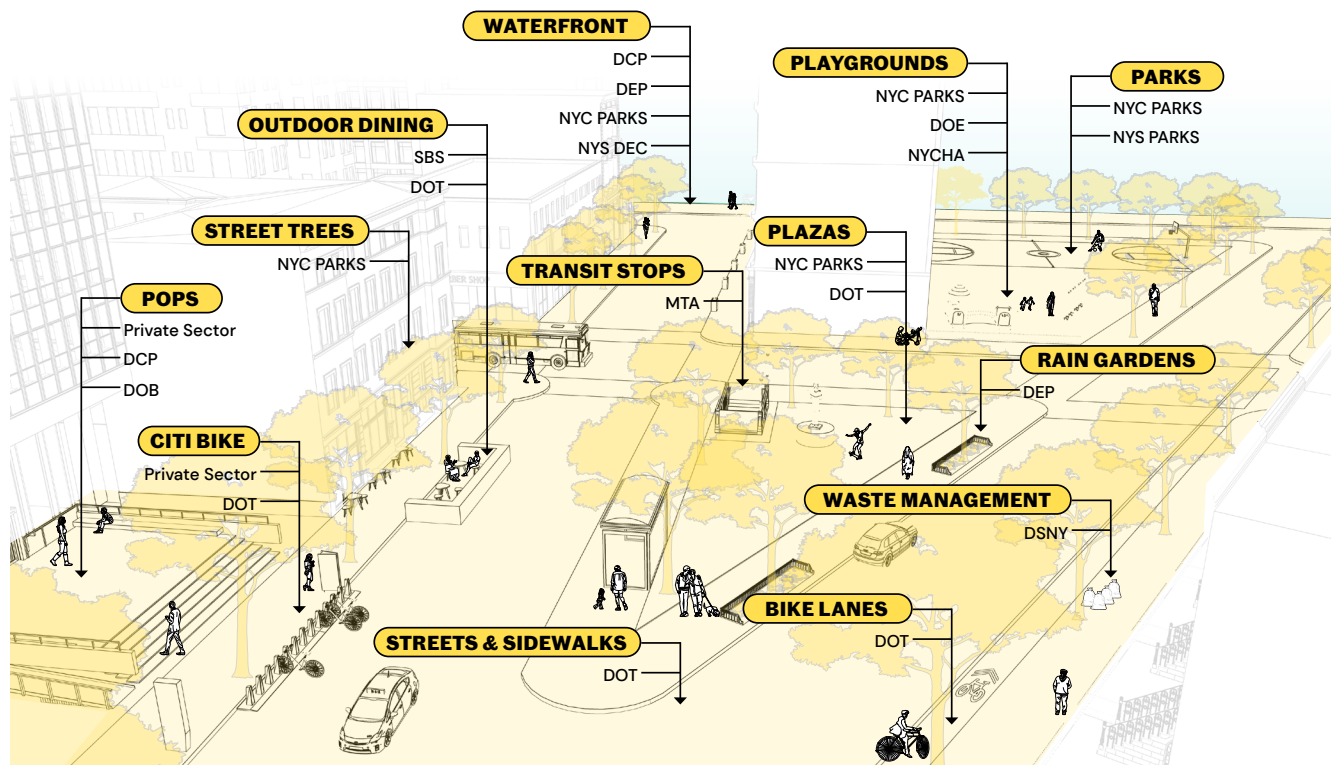
inequities within the public realm, as well as the right to safe and legal use of public space, is essential to guaranteeing its role as a space for peaceful democracy.

Unlike many other cities of its size, New York lacks a central position within its government for planning and maintaining the public realm. Instead, the City segments oversight of these essential pieces of urban infrastructure across a vast array of agencies that do not coordinate consistently or comprehensively. For example, depending on its type, a public plaza may be controlled by the Departments of City Planning (DCP), Transportation (DOT), or Parks and Recreation (NYC Parks). Public playgrounds may fall under the jurisdiction of NYC Parks, the New York City Housing Authority (NYCHA), or the Department of Education (DOE). In other cases, not-for-profit partners and private entities manage these spaces. Rather than functioning together as a seamless public realm network, the spaces controlled by these various entities are each

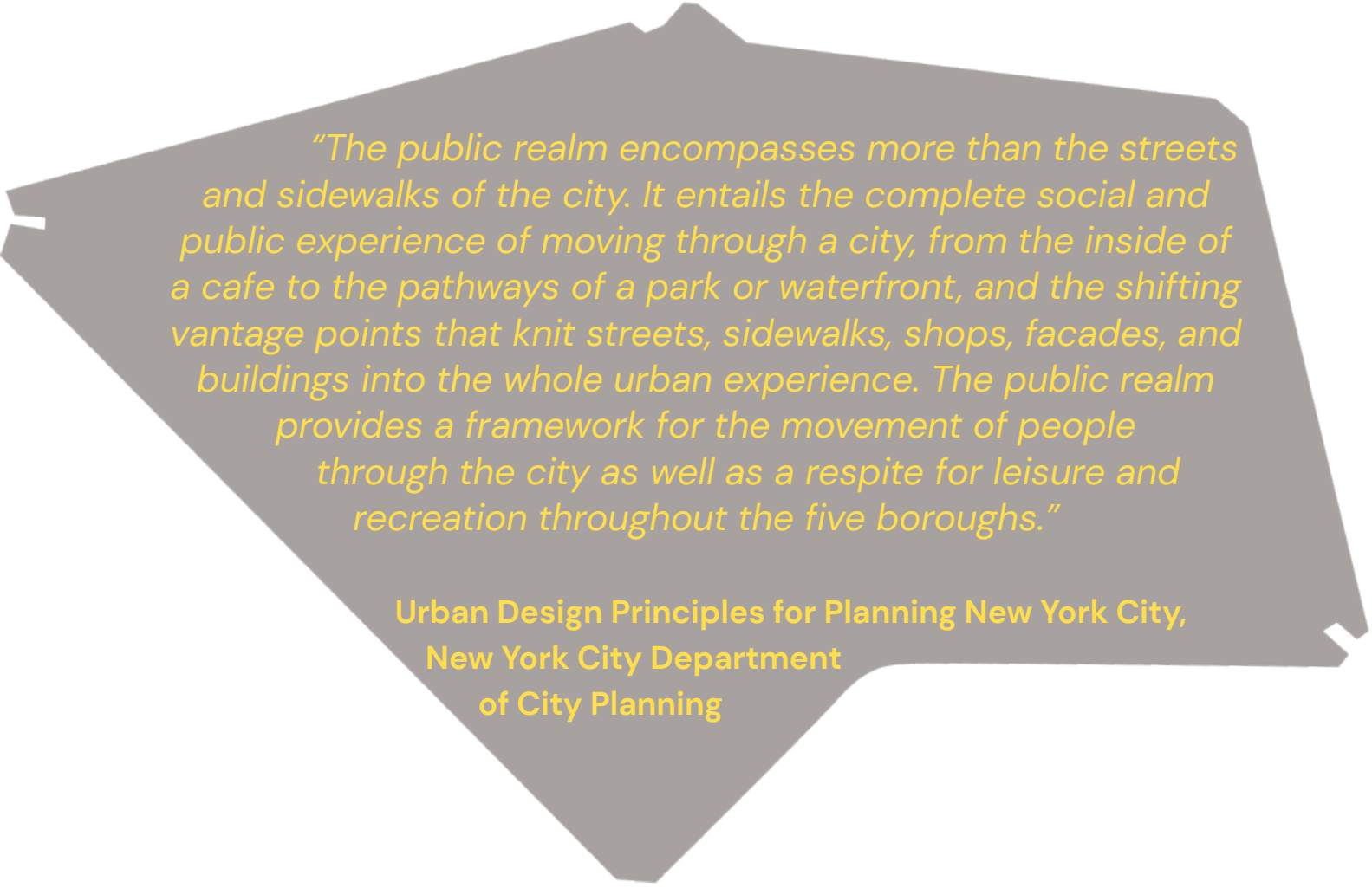
governed with different rules, competing priorities, and disjointed leadership.

This brief will make the case for the creation of a new City role, the Director of the Public Realm, a position dedicated to coordinating and marshalling this vast array of agencies to act quickly in times of crisis and think innovatively in moments of calm about long-term improvements to the health and equity of public space across the city. The recommendation has emerged from our Fight for Light initiative. Therefore, a key focus of the brief is on the role of the Director in preserving and expanding sunlight access within the public realm.

The brief first outlines current issues with public realm management and investment in New York City, including a review of ongoing efforts to improve the city's public realm. This is followed by an examination of innovative public realm approaches in other cities around the world. Finally, the brief outlines potential



The jumble of key agencies and entities that oversee elements of the public realm. Rendering: MAS



"The public realm encompasses more than the streets and sidewalks of the city. It entails the complete social and public experience of moving through a city, from the inside of a cafe to the pathways of a park or waterfront, and the shifting vantage points that knit streets, sidewalks, shops, facades, and buildings into the whole urban experience. The public realm provides a framework for the movement of people through the city as well as a respite for leisure and recreation throughout the five boroughs."

Urban Design Principles for Planning New York City,
New York City Department
of City Planning

About Fight for Light

Over the past year, The Municipal Art Society of New York (MAS) and New Yorkers for Parks (NY4P) have conducted significant research and held numerous conversations with experts from other U.S. and international cities about best practices for managing and maintaining access to sunlight within the public realm. *Bright Ideas*, our report released in October 2019, calls for appointing a Director of the Public Realm for New York City, conducting a social vulnerability analysis and a baseline assessment of sunlight availability, and refining a suite of approaches to protect sunlight access throughout the city.

www.MAS.org/FFL #FightforLight #FFL

responsibilities for a Director of the Public Realm position for New York City, the keys to the Director's success, and the position's most effective placement within the Citywide Organizational Chart.

Defining the Issue

New York City's public realm encompasses a vast number of spaces used by millions of New Yorkers each day. However, as discussed below, many of these spaces are inequitably distributed and maintained, lack sufficient protections, and are disjointed in their management.

Inequitable Distribution of Open Space

The past two Mayoral administrations have articulated a goal of 2.5 acres of open space per thousand residents, based largely on National Recreation and Park Association guidelines. In actuality, the median ratio at the citywide community district level is 1.5 acres per thousand residents,⁶ with significant disparities in the types and availability of open spaces within individual districts. For example, according to New Yorkers for Parks' most

recent 2019 Open Space Indexes, Bushwick has only 0.2 acres of open space per thousand residents.⁷ The neighborhood also has only 0.1 acres of active recreation space per thousand residents, and strikingly, no residents live within a 10-minute walk of a large park.⁸

Meanwhile, Inwood and Washington Heights have more than 3.5 acres per thousand residents, including substantial waterfront parks and natural areas.⁹ In neighborhoods without large open spaces, many residents are reliant on crowded playgrounds, plazas, or even greened street medians, which limits their ability to receive and enjoy direct sunlight.

Inadequate Protections for the Public Realm

Even in a city where open space is lacking, existing public space is not immune from the threat of development and privatization. In 2016, the City Council passed a text amendment allowing the owners of POPS along Water Street in Lower Manhattan, one of the densest neighborhoods in the city, to lease their public plazas and arcades to private retail. These spaces were created through

"When walking down a New York City street, the average person doesn't experience public space in terms of jurisdiction, nor do they care whether this piece is managed by the Department of Transportation or that this other part is overseen by the Parks Department, and that piece over there is within the purview of the Department of Environmental Protection. But, unfortunately, that is the approach historically taken when planning and building the public realm, and it can lead to a disjointed series of public spaces that create obstacles for public use."

Mitchell Silver, NYC Parks Commissioner

a mechanism introduced in the 1961 Zoning Resolution, which offered a development bonus to new buildings that agreed to provide and maintain space for public use, usually at ground level. After decades of poor monitoring and enforcement by the City, the POPS along Water Street were allowed to decay into barren, windswept pedestrian tunnels. Rather than holding building owners accountable for the quality of their public spaces, the text amendment allowed them to renege on the promise altogether, monetizing for private profit the plazas and arcades that were promised to the people of New York.

More recently, the battle over Marx Brothers Playground in East Harlem demonstrates the way conflicting responsibility and oversight leaves vulnerable parts of the public realm unprotected. According to a 2019 report from Comptroller Scott Stringer, New York City is home to more than 2,000 public playgrounds, about 1,000 of which are overseen by NYC Parks and nearly 800 by NYCHA.¹⁰ The remaining 268 are known as “Jointly Operated Playgrounds” (JOPs); they are located on DOE property but overseen by NYC Parks and open to the community during after-school hours. JOPs can be found in 49 of New York’s 51 Council Districts and more than half are located in high-need areas where recreational opportunities are lacking, as defined by NYC Parks’ Community Park Initiative.¹¹

In December 2017, MAS and a coalition of neighborhood groups filed an Article 78 petition challenging the City’s plans to alienate the JOP known as Marx Brothers Playground, in order to clear space for private development and schools. If allowed to go forward, the project would set a dangerous precedent with citywide implications, leaving hundreds of playgrounds—many of which are in neighborhoods already underserved by open space—at risk of redevelopment.

Comptroller Stringer’s report notes, “Given that the City is already deficient in its

playground and park facilities, surrendering these properties to private development is severely misguided. Moving forward, the City should adopt stronger protections, ensuring that ‘Jointly Operated Playgrounds’ remain dedicated for public use.”

Lack of Coordinated Goal Setting for Sunlight Access

Access to sunlight is essential to an equitable, sustainable, and economically vibrant city, and the health and happiness of its residents. The majority of New Yorkers enjoy direct sunlight in the public realm, especially the open spaces used primarily for leisure and recreation.

However, the City has not conducted a formal assessment of sunlight availability, nor are there citywide goals for sunlight access like there is for open space. The few design guidelines that do exist for sunlight are focused primarily on solar energy, artificial lighting, and daylighting within buildings, with little mention of outdoor thermal comfort. However, citywide research findings confirm that sunlight access in the public realm is an issue that extends beyond just Central Park South, the Brooklyn Botanic Garden, Two Bridges, and other high profile cases. A 2016 study conducted by New York University engineers, for example, found that most neighborhoods in Manhattan are covered in shadow for more than half the day on average over the entire year.¹² A New York Times citywide shadow study also found that sunlight access is an issue in many lower-density neighborhoods outside Manhattan. For example, in parts of Bedford–Stuyvesant, bulky, south-facing structures on narrow streets cast shadows that last all day in winter, when sunlight is needed most for physical comfort.¹³

Unidentified and Unmitigated Impacts in Environmental Review

Open space access and sunlight availability continue to be undervalued, even in rezoned areas where development is supposed

to be balanced with public amenities and preservation of natural light. MAS's examination of the Downtown Brooklyn (2004) and Long Island City (2001) Rezoning found that open space ratios in these areas worsened in the following years, due largely to miscalculations about the types and amount of development that would occur and the fact that much of the anticipated open space was never built. The report found that since 2001, the open space ratio in the Long Island City Rezoning Area has decreased by 15 percent, to 22 percent of the City median of 1.5 acres per 1,000 residents. Meanwhile, in Downtown Brooklyn, the planned 1.15-acre Willoughby Square Park—the centerpiece of the proposed commercial development and the primary way to offset the rezoning's open space impacts—has yet to be constructed.¹⁴

Many public spaces that do end up being built in rezoned areas are shadowed and windswept. This is partly because environmental impact statements (EISs) are only required to evaluate shadow impacts on existing open space, not on other components of the public realm or on new open space created by proposed development. EISs also do not consider other elements of thermal comfort, like wind. At Hudson Yards – which was rezoned in 2005 – temperatures can feel several degrees colder than the surrounding area due to shadows and excessive wind tunnels created by tall towers. Some even estimate that Hudson Yards gets two to three weeks fewer nice days per year than Bryant Park, which is only one mile away.¹⁵ Across all neighborhood rezonings, sunlight availability and thermal comfort levels are too often an afterthought, and new open space is frequently included as a bonus or concession rather than a fundamental, comprehensively planned part of the process. This haphazard approach often results in public spaces that are not as beneficial to a given neighborhood as may have been conceived.

Underfunded and Disorganized Operations, Maintenance, and Programming

Open space investment and maintenance also continues to pose a challenge. A 2018 report by the Center for an Urban Future found that close to \$6 billion would be needed over the next decade to bring the City's parks into a state of good repair.¹⁶ NYC Parks received just 0.6 percent of the City budget in 2019, despite overseeing 14 percent of all city land.¹⁷ In many areas, private organizations are left to corral donations for park maintenance or programming. Yet this is not possible in many lower income areas of the city. In the Crotona Park East and Longwood neighborhoods of the Bronx, for example, limited tax dollars are the only source of funding for parks maintenance and investment despite boasting several of the city's largest open spaces.

Furthermore, the City's patchwork approach to property jurisdiction and agency oversight continues to result in public spaces with visible seams when it comes to operations and maintenance. Residents of the East Village and Lower East Side are all too familiar with one of these gaps, evident on the bridges that cross the FDR Drive and connect to East River Park. Piles of snow, leaves, and trash impede access and visibly mark the jurisdictional divide between NYC Parks and DOT responsibility.

Efforts to Improve the Public Realm

For years, park-goers, community gardeners, environmental justice advocates, alternative transportation users, and everyday New Yorkers have been calling for the expansion and improved use of the public realm within the city. For example, efforts include installing plazas, gardens, and popup parks in vacant or underutilized public space, widening sidewalks for pedestrians, and replacing street parking with bike lanes.

Despite its shortcomings, New York City has made great strides in increasing the quality of and access to the public realm through the work of agencies with dedicated staff. Below we inventory key Mayoral and interagency efforts, department initiatives, recent legislation, and budgetary efforts that have improved the public realm.

Mayoral and Interagency Efforts *OneNYC*

Spearheaded by Mayor Bloomberg as PlaNYC in 2007 and continued by Mayor de Blasio as OneNYC in 2015, this overarching strategy document guides the City's policies and programs for confronting the climate crisis, growing the economy, building infrastructure, improving education and livability, and achieving equity. Its eight broad goals and 30 initiatives are heavily focused on sustainability, resilience, and public health. A fundamental objective is to ensure that all New Yorkers have access to neighborhood open spaces and that the physical environment leads to well-being.

Mayor's Office of Resiliency (MOR)

MOR leads the City's efforts to secure New York City's ability to withstand and emerge stronger from the impacts of climate change. Among its related publications and programs are the 2019 Climate Resiliency Design Guidelines and the New York City Panel on

Climate Change. Both include a major focus on mitigating the effects of rising sea levels, heavy precipitation, and the urban heat island. These efforts are critical to ensuring the public realm remains functional and thermally comfortable.

Mayor's Office of Sustainability

The Mayor's Office of Sustainability seeks to minimize the acceleration of climate change from the waste, transportation, energy, and building sectors. The Office runs the NYC Carbon Challenge and GreenNYC resident outreach program, and monitors and benchmarks building energy performance. The Office has a major focus on expanding solar energy production, which reduces the waste heat released by buildings into the public realm. The Office also releases an annual progress report on the City's achievements pursuant to OneNYC.

Active Design Guidelines

Created in 2010, the City's Active Design Guidelines are the result of a partnership between several City agencies, including the Departments of City Planning, Health and Mental Hygiene, and Transportation, as well as the Office of Management and Budget and leading architectural and planning academics. This best practices strategy book outlines building and urban design tactics for creating neighborhoods, streets, and outdoor spaces that encourage healthier lifestyles. It also asks designers to be mindful of seasonal changes and the presence of the sun when designing bus shelters, parks, and other outdoor areas.

Department Efforts

Department of City Planning

DCP's broad mandate to plan for the future of the city means that its work affects the public realm in a number of ways, though it is often

based around projects in confined geographic areas. For example, DCP strives to ensure open space accessibility through its neighborhood planning studies and Comprehensive Waterfront Plan. The agency also oversees and advocates for better design of the city's nearly 600 POPs. As highlighted earlier, DCP makes specific mention of the public realm through its Urban Design Principles, which serve as an internal resource for staff and external guide for practitioners.

Department of Design and Construction

DDC's work focuses primarily on the construction of civic buildings and infrastructure like roadways and water and sewer mains. The department also designs and constructs publicly accessible spaces like pedestrian bridges, ramps, rain gardens, and plazas. DDC has a strong focus on sustainability, building performance, and health in the built environment, evidenced in particular through its Design and Construction Excellence Guiding Principles that were released in 2016. The department also clearly recognizes the importance of light to renewable energy and mental and physical well-being. DDC is primarily focused on the minimization of artificial light pollution, the use of daylight within buildings, and harnessing light for solar energy.

Department of Health and Mental Hygiene (DOHMH)

While DOHMH doesn't have as much of a direct physical impact on the public realm, it publishes a wealth of information used to design a healthier and more equitable city. For example, its Community Health Profiles contain over 50 measures of neighborhood health for all 59 community districts on factors such as air pollution, obesity, and physical activity. Its Environmental & Health Data Portal contains data on more than 250 health indicators for different geographies. Among its many publications is a Heat Vulnerability Index that helps officials identify heat-vulnerable

populations and mitigate high temperatures on streets and sidewalks through strategies like planting trees.

Department of Parks and Recreation

With equitable access to open space as an overarching goal, NYC Parks has invested in improving overlooked, under-resourced parks that serve some of the most vulnerable New Yorkers. For example, through the Anchor Parks program and the Community Parks Initiative, the agency has undertaken capital parks renovations for the neighborhoods most in need. The agency also tested more porous park designs through Parks without Borders, and has now adopted those design strategies as part of an effort to create a more integrated public realm. NYC Parks has also renovated and opened hundreds of schoolyards to the public during non-school hours through its Schoolyards to Playgrounds program.

Department of Small Business Services

SBS connects New Yorkers to jobs, helps businesses grow, and oversees the largest network of Business Improvement Districts in the country. A core element of its work is the Neighborhood 360° program, which supports projects that revitalize commercial streets and storefronts—albeit in limited geographic areas. SBS's Commercial District Need Assessments identify strategies to increase public programming, beautify streetscapes, and other quality of life improvements in the public realm.

Coordination with DOT is key to these efforts, and is highlighted in a 2019 reported conducted for SBS, DOT, and the NYC BID Association by Public Policy Lab, a nonprofit innovation lab for government. The goal of the report, called Collaboration in the Public Realm, is to increase two-way communication between DOT and Business Improvement Districts (BIDs) so the needs and challenges of local businesses can be incorporated into transportation planning, community outreach,

and policy implementation. The report's three "touchpoints" – creating and sharing overview guides of each department/organization, holding strategy meetings, and conducting district walk-throughs – provide initial engagement ideas for the various agencies that affect the public realm.

Department of Transportation

DOT has prioritized transformation of the City's thoroughfares into safer and more enjoyable "complete streets" through traffic calming measures, public programming, placemaking initiatives, pedestrian wayfinding, and the creation of plazas, shared streets, and cyclist networks. OneNYC, World Class Streets: Remaking New York City's Public Realm (2008), and DOT's 2016 Strategic Plan help form an overarching vision for the city's streets, while DOT's Street Design Manual and Borough Pedestrian Safety and Action Plans provide specifics on standards, guidelines, and policies. DOT's Strategic Plan includes a Public Realm chapter focused on expanding and improving streets, plazas, and underutilized areas under bridges, roadways, and train lines.

Recent Legislation and Budgetary Efforts

Offices of Active Transportation and Pedestrians

In November 2019, New York City Council Members Carlina Rivera and Ydanis Rodriguez introduced a package of legislation to create an Office of Active Transportation

and an Office of Pedestrians. The legislation was driven largely by an increase in traffic-related deaths in 2019 after years of decline. Led by "bike and pedestrian mayors," the offices would assess pedestrian and cycling conditions and recommend improvements. Both offices would be situated within the Mayor's Office to facilitate coordination across departments and would serve as liaisons between residents and agencies.

Play Fair for Parks Campaign

Although NYC Parks is charged with stewarding 14 percent of the city's land, it is substantially underfunded. The agency is still recovering from the City's fiscal crisis of the 1970s, and has a smaller operational headcount than it did nearly 50 years ago. Over the past two years, the Play Fair Coalition – a group of organizations led by New Yorkers for Parks, the New York League of Conservation Voters, and District Council 37 – has advocated to increase NYC Parks' expense budget to fulfill basic maintenance and operations functions. In 2019, the City Council Speaker and Mayor allocated an additional \$44 million to the roughly \$530 million agency budget as a result of the campaign. The funding created hundreds of park maintenance and operations jobs, though the campaign's fight to preserve those gains was less successful in 2020. NYC Parks suffered a 14 percent budget cut (\$84 million) during a time when New York City needs increased and

New Yorkers for Parks created a vision document for New York City's public realm, the *Public Realm Bill of Rights*, by engaging open space advocates in each of the five boroughs. Conversations with advocates about local challenges and priorities illuminated common, citywide desires for the condition, function, and programming of the public realm. NY4P synthesized those visions into one document, which is grounded by a central vision statement. Five articles – on Access, Infrastructure, Health, Environment, and Funding – articulate more specific facets of the vision. The *Public Realm Bill of Rights* is the foundational document that NY4P uses as a touchstone for its research on open space in neighborhoods and its advocacy for the public realm.

better maintained open space. The campaign continues to press for the funding required for clean, safe, and well-programmed parks citywide.

Open Streets

In response to COVID-19, the Mayor's Office, City Council, NYPD, NYC Parks, DOT, BIDs and local community organizations have prioritized dozens of miles of street beds for pedestrians and cyclists, broadening the types of spaces available for recreation and transportation. The City has closed over 67 miles of roadway, with a goal of creating over 100 miles of open streets. The effort has shown that little more than sawhorse traffic barriers and laminated signage is necessary for functional pedestrian space, dispelling an initial Mayoral belief that heavy police enforcement would be required. Open Streets also spurred an Open Restaurants plan that allows restaurants to use additional sidewalk and street bed space, POPS, and waterfront public access areas for outdoor dining. Recently, a Play Streets initiative was announced that will provide children with opportunities for arts, crafts, and games in new outdoor spaces.

Street Vendors

Street vendors have a long legacy of launching small businesses; meeting local food, beverage, and retail needs; and adding to the texture of city life. In the late 1970s and early 1980s, caps were put in place that reduced the number of street vendor permits from 12,000 to 3,000. As a result, many vendors have turned to an underground market to obtain licenses. They have also faced pressure from established BIDs who perceive street vendors as a threat to traditional brick and mortar businesses or even a nuisance that disrupts the cohesion of high-end business districts. Furthermore, street vendors require interaction with a variety of City agencies on regulatory topics such as food safety, transportation, and enforcement.

In 2019, Council Members Margaret Chin and Carlos Menchaca introduced a bill, Intro 1116-A, that would create new permits allowing more businesses to operate within the public realm. The bill would reduce barriers for emerging businesses and help enliven struggling corridors with shuttered storefronts and that are perceived as unsafe.

While street vendors continue to advocate for more opportunities to operate businesses legally, an increasing number of brick and mortar businesses are turning to outdoor dining and vending. In response to social distancing requirements and enhanced safety protocols, there is an inequitable expansion of commerce into the public realm that has prioritized brick and mortar businesses over street vendors. The increased demand for street and sidewalk space requires solutions to ensure that both mobile and traditional businesses can comfortably coexist.

Collectively, the aforementioned efforts have produced some stellar individual projects and demonstrated that politicians are beginning to recognize the need for improved coordination and investment in the public realm. However, these disparate projects, plans, and visions have yet to result in a truly systematic, citywide approach.

A Director of the Public Realm would help address this disjointed approach to the public realm by greatly reducing overlap and providing coordinated leadership. This role is needed to ensure that public realm investment is equitable and that our public spaces are managed seamlessly.

Case Studies

Governance of the public realm is a planning and public policy concern around the globe. Recently, several major U.S. and international cities have elevated the public realm, placemaking, and human-centered design to prominence within their municipal structures.

While not exhaustive, the following case studies offer insight as to how municipalities are promoting innovative governance of the public realm through formalized initiatives and positions. None provide a fully holistic approach that is directly analogous to this recommendation, but each serves as inspiration for establishing a Director of the Public Realm within New York City.

Bogotá

In the first two decades of the 21st Century, the mayors of Bogotá led efforts to democratize and improve the public realm while also enhancing the city's global reputation. Their initiatives spanned public transportation improvements, public realm access networks, civic education, and the greening of public space. Rather than engaging in comprehensive planning in a city of over seven million residents, these mayors tackled issues of civic pride, engagement, and public space access through small-scale, tactical public realm initiatives.

- ◇ Key takeaways: Tactical, small-scale improvements can have significant impact; civic education is key to engagement
- ◇ Motivators/desired outcomes: Imageability, public realm access, and enfranchisement
- ◇ Governance model: Mayoral initiatives across departments

Boston

Boston's Public Realm Director works with the City's Streets Cabinet to implement people-oriented interventions on streets and sidewalks. The position was established in

2010 as part of a new City department, The Mayor's Office of New Urban Mechanics, to address gaps in services, civic engagement, and innovation in public life through citizen-generated data and smartphone apps. Their work is informed by Boston's *Tactical Public Realm Guidelines*, which provide guidance on coordinated efforts by the City and community members to create plazas, parklets, sidewalk cafes, and street murals in underutilized public space like parking lanes.

In 2017, the public realm was identified as a top priority by the community engagement process of the City's mobility plan, *Go Boston 2030*. In response to COVID-19, Boston's Public Realm Director has spearheaded the City's Healthy Streets Initiative, an effort to expand pedestrian space into street parking areas, create pop-up bike lanes, increase the size of bus stop waiting areas, and open residential streets to pedestrians and cyclists by restricting vehicle through-traffic.

- ◇ Key takeaways: Technology can be a useful tool in public realm civic engagement; innovation drives good governance; citizen data drives management and service delivery across departments
- ◇ Motivators/desired outcomes: Competitiveness, access, efficiency, innovation
- ◇ Governance model: Mayoral office

Los Angeles

In 2018, Los Angeles Mayor Eric Garcetti appointed a Chief Design Officer to help improve the image of the city through civic architecture and urban design. Mayor Garcetti has touted the impact that architecture and urban design can have on citizens' perceptions of their city, and the value of using public funds to improve the physical environment.

The position is housed within the Mayor's Office of Economic Development (MOED), supporting the theory that the competitiveness of cities in attracting workers, residents, and visitors is anchored in a high-quality public realm. The City Planning department and the Port of Los Angeles both report to MOED.

The Chief Design Officer works closely with about half a dozen deputy mayors on planning, building and safety, and other design considerations. Among the many projects currently being undertaken by the Chief Design Officer is a focus on designing shade into the built environment. The position also works to address broader, more long-term questions about the future of the city, like climate, mobility, and housing. The Chief Design Officer collaborates with different City services and agencies like the Department of Recreation and Parks. The position is funded by the Planning Department.

- ◊ Key takeaways: Urban planning and development needs design thinking
- ◊ Motivators/desired outcomes: Competitiveness, imageability
- ◊ Governance model: Mayoral office

London

The City of London has multiple plans and initiatives pertaining to the public realm. *The London Plan*, the City's 2015 comprehensive plan, includes a *Public Realm Supplementary Planning Document* which outlines a vision for the public realm and addresses the need for public space coordination and management. Meanwhile, the Mayor's Design Advisory Group – a consortium of architects and designers – produced a public realm plan (*Public London: Creating the Best Public Realm*) as part of the City's 2016 Good Growth Agenda. The plan seeks to identify optimal approaches to planning and creating the public realm. And in June 2020, London Mayor Sadiq Khan announced the creation of a Commission for

Diversity in the Public Realm. The Commission was brought about by growing concern over the people and events that are memorialized in public spaces. According to the Mayor, the Commission will “review and improve diversity across London's public realm to ensure the capital's landmarks suitably reflect London's achievements and diversity.”¹⁸ The Commission will review both existing and future public space elements such as murals, street art, street names, statues, and other memorials.

- ◊ Key takeaways: Multifaceted efforts are needed for public realm planning
- ◊ Motivators/desired outcomes: Comprehensive planning, coordination, inclusivity
- ◊ Governance model: Comprehensive planning, advisory groups, and commissions

Mexico City

Mexico City's former Public Space Authority (known by its Spanish acronym, AEP) was created in 2008 as part of an effort to decentralize City-level decision-making and unhinge public realm improvements from the bureaucracy of Mexico's capital. The Authority's charge was to improve the quality of urban life and reduce social inequality through the programming of public space. In doing so, the department recognized public space as socio-spatial infrastructure in its own right. Its interventions ranged from the creation of small pocket parks to larger parks and multi-block streets projects, as well as “rescuing” neglected public space for recreation and local economic development. Though AEP was critical in the development and programming of these spaces, it was not responsible for maintaining them. The Authority was decommissioned in 2019 as part of a major restructuring of City government.

- ◊ Key takeaways: Expansion and programming of the public realm can

address social inequality

- ◇ Motivators/desired outcomes: Equity, safety, autonomy, reclamation of public space
- ◇ Governance model: City department

Paris

Mayor Anne Hidalgo has appointed two deputy mayors to carry forth her public realm vision for France's capital. The Deputy Mayor for Urban Planning, Architecture, Greater Paris Projects, Economic Development and Attractiveness focuses on urban design and preservation of public space. Meanwhile, the Deputy Mayor for Transport and Public Space is responsible for advancing carbon reduction through increasing pedestrianization.

Together, these two positions strive to ensure that Parisians are able to enjoy a walkable, cohesive, and healthy public realm. Mayor Hidalgo has also spearheaded a gender and public space initiative that intends to eliminate sexist and discriminatory advertisements in streets and other public spaces.¹⁹

- ◇ Key takeaways: Public realm is embedded in larger climate policy
- ◇ Motivators/desired outcomes: Imageability, inclusivity, access, climate change, and livability
- ◇ Governance model: Deputy mayors

Portland

The City of Portland's Urban Design Studio (UDS), housed within the Bureau of Planning and Sustainability, works with the community and agency partners to explore citywide design issues and opportunities. The Studio supports the development of design guidelines, district planning, and coordinated strategies for placemaking within the City's Comprehensive Plan and as part of project implementation. UDS recently facilitated a bold visioning and coordination plan to unify the areas defining downtown Portland. The so-called Green Loop is a public realm network linking the central neighborhoods

around Portland's Willamette River that is designed to maximize placemaking, open space opportunities for the area's largest concentration of workers and affordable housing residents, and cultural resources provided by museums, centers, and the riverfront.

- ◇ Key takeaways: Comprehensive planning needs design thinking; community engagement through multiscale urban design initiatives
- ◇ Motivators/desired outcomes: Placemaking, access, competitiveness
- ◇ Governance model: Sub-department

Seattle

Seattle's Mayor's Office of Planning and Community Development (OPCD) has undertaken an open space plan and assessment (called Outside Citywide) rooted in equitable access to outdoor space. The Office was established in 2015 by Executive Order to overhaul how the City manages urban planning and capital investments across City government. OPCD permanently consolidates key staff from various City workgroups to increase collaboration, alignment, and implementation of projects and plans in response to rapid growth and new building forms enabled through the City's Mandatory Housing Affordability program. The Outside Citywide initiative asks, "how can we improve access and usability of today's open spaces, and add new spaces and outdoor experiences to areas in need, to form an integrated, connected and complete network of outdoor opportunities in Seattle?"²⁰

- ◇ Key takeaways: Programming and public realm access can address social inequality
- ◇ Motivators/desired outcomes: Equity, access
- ◇ Governance model: City department

A Public Realm Director for New York City

In this section we outline potential responsibilities for a Director of the Public Realm position for New York City, the keys to the Director's success, and the position's most effective placement within the Citywide Organizational Chart.

Responsibilities

As outlined below, the Director should assume a range of roles, from broad public realm management, coordination, and strategic visioning to the oversight of specific planning tools that increase sunlight availability, facilitate a more equitable and connected public space network, and ensure safety for pedestrians and cyclists.

Management and Coordination

Task	Subtask	Description
Inventory the agencies whose work affects public realm design		One of their first responsibilities upon assuming office, this would enable the Director to identify areas that are disputed or poorly managed and to designate responsibility when authority is unclear.
Coordinate across departments	Convene a Public Realm Cabinet	The Director should lead and implement public realm design, management, and visioning across multiple City departments and could convene a Public Realm Cabinet comprising members of each agency that influence the public realm. This would increase the efficiency of City government by streamlining inter-departmental coordination. It would also provide for coordinated investment and implementation, ensuring that interconnected projects and public spaces are not considered in isolation.
Advise on the Capital Budget and coordinate advisory groups		In addition to direct participation in the budget process, the Director could coordinate advisory groups like the East Midtown Public Realm Improvement Fund and the establishment of similar funds in other high-density or high-need districts.

Research

Task	Subtask	Description
Conduct a citywide Statement of Public Realm Needs	Conduct a social vulnerability assessment	This baseline understanding of public realm management, investment, maintenance, and other needs would require outreach and partnership with elected officials, City agencies, community boards, and other stakeholders on public space issues across communities. It would also require a commitment to prioritizing vulnerable populations for whom protecting sunlight and open space is most critical.
Identify areas that require special protections	Conduct a baseline assessment of sunlight availability Publish a citywide sunlight availability map	A 1991 proposal commissioned by the Parks Council (a predecessor to NY4P) titled, <i>Preserving Sunlight in New York City's Parks: A Zoning Proposal</i> , found that about 700 parks—roughly half of the City system—were at risk of being shadowed by future development. A similar present day assessment could be used to create a publicly accessible and regularly updated citywide sunlight map. Ultimately, special ecosystems and at-risk places would require protection through special districts, shadow laws, or other planning and conservation mechanisms.

Planning and Implementation

Task	Subtask	Description
Create a Public Realm Plan for the city	Create a Sunlight Strategic Plan	Creating an overarching Public Realm Plan for New York City would ensure that there is one long-term vision shared among agencies, decision-makers consider the public realm as one interconnected network, professionals base their work on a consistent set of strategies, and City investments are distributed more fairly and efficiently. The Director could also use the baseline and social vulnerability assessments to guide the creation of a Sunlight Strategic Plan as a component of the Public Realm Plan.
Implement a sunlight rating system for new development		Sunlight is a critical component of City and State environmental and climate change-related initiatives, as a source of solar energy production and key to the survival of plants which store carbon, mitigate flooding, and reduce the urban heat island effect. A sunlight rating system for buildings would dovetail with Local Law 95, which requires letter grades on midsize and large buildings that show how energy-efficient they are. Albedo, solar energy use, and the amount of shadow cast by buildings could all be factored into the rating, which could be integrated into existing systems like LEED.
Pilot policies for protecting sunlight access		The Director should pilot policy ideas on a smaller scale, ensuring they remain flexible for improvement and adaptable to different contexts. This could include, for example, special districts, performance-based zoning, incentives, impact fees, and no-net-new shadow laws.

Planning and Implementation (cont.)

Task	Subtask	Description
Recommend changes to the <i>CEQR Technical Manual</i>		The Director could work with the Mayor's Office of Environmental Coordination to update the evaluation criteria in the <i>CEQR Technical Manual</i> for shadows and open space. For example, expanding the definition of sunlight-sensitive resources to include new or cumulative shadows on streets and sidewalks, and open space created by proposed developments. The manual could also be updated to assess major changes to solar energy potential, and the requirements for healthy plant growth rather than just plant survival.
Planning and Implementation	Plan for, during, and following major crises	The Director should work across agencies to formulate public realm plans that designate authority and address a range of public access scenarios in the event of crises like 9/11, Superstorm Sandy, or COVID-19. The Director should be able to quickly mobilize within communities and across department heads to close streets for recreation, for example, without significant bureaucracy or creating a burden on other emergency priorities. They should also plan for the longer term impacts that sea level rise and the urban heat island effect will have on the usability of public spaces.

Monitoring and Review

Task	Subtask	Description
Review and advise on major discretionary projects		The Director should advise and make recommendations on the open space components and shadow impacts of major discretionary projects such as neighborhood rezonings and Large-Scale Developments.
Track public realm commitments		The position should monitor and ensure accountability for public realm commitments made through City and developer-initiated rezonings. This would help ensure that public spaces are delivered on time and as promised, especially in areas with lower open space ratios.

Permitting and Programming

Task	Subtask	Description
Oversee the use of public space	Lead the formation of a Public Realm Diversity Commission	The Director could work with SBS, Business Improvement Districts, Industrial Business Zones, POPS, non-profits, and community members to expand permitting for street fairs, performances, public art, and other opportunities to enliven the public realm. As part of this, the Director should ensure that public spaces are prioritized for public use, and that recent initiatives to allow businesses to use streets and POS for retail and dining are aligned with this goal. Following London's lead, and building upon the work of New York City's former Mayoral Advisory Commission on City Art, Monuments, and Markers, the Director could establish a commission to assess the diversity of memorialized figures and perspectives in the public realm and ensure broader representation. They could also ensure that the public realm continues to serve as a space for free speech.

Over time, we expect the Director's role will naturally evolve from assessing current conditions, building relationships, and improving efficiencies to plan-making and policy implementation. Along the way, it is important that outcomes are measurable and well-defined to ensure accountability, transparency, and progress on key indicators. Ongoing reporting requirements will be important to achieving milestones and meeting goals.

Keys to Success

In order to be most effective, the Director will need the staff, budget, political relations, and community support to drive meaningful change. This includes:

- ♦ **A close relationship with elected officials, agency heads, advisory boards, and commissions.** The Director's role is to provide guidance, vision, and directive, not impose strict control. This requires collaborative relations with (among others) the Mayor, City Council, the City Planning Commission, Public Design Commission, Borough Presidents, Community Boards, the Public Advocate, and the Commissioners of the Departments of City Planning, Design and Construction, Education, Environmental Protection, Health and Mental Hygiene, Parks and Recreation, Small Business Services, and Transportation.
- ♦ **Community-centered focus.** The Director will need to deeply engage community stakeholders on their public realm challenges and visions so that investment meets local needs.
- ♦ **Support from professional interests.** Buy-in from the environmental, planning, preservation, design, real estate, and other professional communities is critical. The benefits to each of these constituencies of establishing the Director position must be apparent.

- ♦ **Sufficient and highly skilled support staff.**

The Director will need planners, designers, public health experts, urban ecologists, community outreach specialists, and other professionals that provide a high degree of technical capacity, visioning, and relationship-building expertise.

- ♦ **A meaningful budget.** The Director must be equipped with sufficient financial resources and should work with City Council Members and communities to prioritize how funds are spent on the public realm as part of the participatory budgeting process.

Ultimately, the Director's success will be determined by the continuation of the position through multiple administrations, as evidenced by trust and collaboration garnered among City agencies, support from professional interests, and a demonstrated commitment to addressing the disparate needs of communities.

Location within Government Structure

The Director of the Public Realm position requires awareness of public health, planning, environmental, socioeconomic, and other cross-disciplinary issues that span multiple agencies, including a focus on the importance of sunlight in fostering a healthy, livable city. This research explored several locations within the Citywide Organizational Chart where the position could be housed, including the possibility of creating a new Department of the Public Realm, an Affiliated Board or Commission (such as a Public Realm Authority or Public Realm Commission), or a new Deputy Public Advocate within the Office of the Public Advocate. However, given the aforementioned responsibilities and requirements, as well as precedents set by other cities, the Director of the Public Realm is likely to be most effective within the Mayor's Office.

The position could take one of several forms within the Mayor's Office: as a Deputy Mayor, Chief or Czar, or within the Mayor's Office of Policy and Planning or a new Mayor's Office of the Public Realm. Each of these positions would have a direct line to the Mayor and the policy and budgetary heft required to enact change. The position's success would be determined by their ability to work effectively across the departments they oversee. A key challenge is that the powers and duties of mayoral positions is not specified in the City Charter, so ensuring continuity of the position and its priorities across administrations is paramount.

Conclusion

The first half of 2020 has already shown this to be a year like none other. While the events of the last few months have been unprecedented, the fault lines they have exposed in the way our city plans and provides for the public realm have been visible for years. Indeed, peer cities around the world are far ahead of New York City in taking a holistic approach to managing public space and ensuring open space equity. Many of them already place a special focus on access to sunlight as an essential piece of infrastructure.

We need to jumpstart our city and our economy with a bold new vision for the spaces between buildings where so much of urban life takes place. Doing this successfully will mean coordinating a vast array of properties controlled by the Departments of City Planning, Transportation, Parks and Recreation, Design and Construction, Education, Environmental Protection, Sanitation, Small Business Services, and more. To be truly successful, these agencies must work in coalition with neighborhood stakeholders in the communities where these changes will take shape.

Building trust and collaboration across these groups will require bold, intersectional leadership. Now more than ever, New York City needs a Director of the Public Realm to oversee this great task.

We cannot miss this opportunity to bring about a more connected, more resilient, and more livable city. The health of our people, environment, and economy depend on it.

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About the Municipal Art Society

The Municipal Art Society of New York (MAS) lifts up the voices of the people in the debates that shape New York's built environment and leads the way toward a more livable city from sidewalk to skyline. MAS envisions a future in which all New Yorkers share in the richness of city life—where growth is balanced, character endures, and a resilient future is secured.

Over more than 125 years of history, our advocacy efforts have led to the creation of the New York City Planning Commission, Public Design Commission, Landmarks Preservation Commission, and the Tribute in Light; the preservation of Grand Central Terminal, the lights of Times Square, and the Garment District; the conservation of more than 50 works of public art; and the founding of such civic organizations as the Public Art Fund, the New York Landmarks Conservancy, P.S. 1, the Historic Districts Council, the Park Avenue Armory Conservancy, and the Waterfront Alliance.

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About New Yorkers for Parks

NY4P conducts research and develops tangible policy recommendations around our findings related to park development, management and sustainability. This research becomes the foundation for our advocacy campaigns; NY4P drives both immediate actions and long-term policies that protect and enhance the city's vast network of parks, ensure adequate and equitable distribution of open space resources to all neighborhoods, and inform and empower communities throughout New York City to advocate for their open space needs. To support our efforts, NY4P builds and maintains strategic partnerships with government officials and agencies, local parks groups and conservancies, academic institutions, and other key stakeholders in the public and private sectors.

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Our Funders

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