

## MAS Testimony to the 2026 Commission on Government Efficiency (COGE)

### *Call for Comprehensive Planning & Reforms to Chapter 14: Franchise, Revocable Consent, and Concessions (FCRC)*

July 1, 2026

On behalf of the Municipal Art Society of New York (MAS), thank you for the opportunity to testify before you today regarding streamlining government and capital planning reform.

Today, we are focusing MAS's testimony on Chapter 14: Franchises, Revocable Consent, and Concessions (FCRC).

Before we dive into the FCRC, we would like to take the opportunity to reiterate MAS's longstanding advocacy for **comprehensive planning**, which we believe is critical to provide a long-term roadmap to enable capital projects to become strategic rather than reactive and maximize co-benefits. Major cities across the country use comprehensive planning frameworks to align long-term goals with capital investment. New York remains an outlier in lacking a framework to connect policy priorities to implementation, and this is not merely an inconvenience, it is expensive. Charter-mandating New York to have a comprehensive plan to provide this roadmap and framework is not simply planning reform, it is fiscal reform and peak government efficiency.

We are not calling for the details of comprehensive planning to be chartered, as we believe those should be negotiated in rulemaking to enable piloting and iterating on the exact process, requirements, and path to implementation, but having a charter mandate is a small step to hold the process accountable. We would be honored to set up a time to discuss details further.

Now, our main call to action for today: make it easier to access, activate, and partner on the public realm by revising Chapter 14: Franchises, Revocable Consent, and Concessions to support civic stewardship.

Currently, organizations that maintain, program, and activate public spaces face approval processes designed for commercial concessions.

Through our partners in the Alliance for Public Space Leadership, of which MAS was a founding member, from participants in our Livable Neighborhoods Program, a program MAS has run since 2007 helping local organizers and advocates understand public review processes ranging from rezonings to permitting, and via our Enduring Culture Community Partners, a subgrant program launched last year, MAS has heard constant and consistent feedback that the current system creates unnecessary roadblocks for community members,

nonprofit groups, and civic organizations who want to access, program, and maintain our public spaces. Much of the red tape that creates these roadblocks lives within the FCRC.

The legal framework requires a small nonprofit programming a plaza to go through the same channels as a private company operating a revenue-generating concession. Revising the FCRC in some small but tactical ways would acknowledge that these are fundamentally different activities and provide a streamlined pathway for civic partners whose primary purpose is public benefit rather than commercial gain.

MAS believes that the Commission should explore the following to reduce administrative burdens while preserving oversight and accountability:

- 1) **Create a new category for public realm stewardship agreements** covering plaza partners, Open Streets operators, parks conservancies, community gardens, waterfront groups, and cultural programming nonprofits. The Charter currently distinguishes amongst franchises, concessions, and procurement agreements. Adding a public realm stewardship distinction would mean that these partners could receive a more streamlined review than revenue-generating concessions. Other cities, such as London, San Francisco, and Seattle, are beginning to formalize community stewardship as a distinct form of public asset management. Adding a stewardship distinction to FCRC would be a step New York could take to do the same.
- 2) **Raise review thresholds and streamline review for low-value agreements, volunteer stewardship arrangements, temporary activations, and pilot projects.** Small partners still trigger reviews that were designed for much larger commercial arrangements. If the FCRC was revised to maintain its review solely for arrangements with substantial financial implications, it would be a start in right-sizing risk and liability concerns and balancing them with public benefit.
- 3) **Authorize standardized stewardship agreements** to mitigate having to renegotiate each public realm partnership from scratch. While the details of said templates would be held outside the charter, the FCRC could be revised to stipulate a requirement for standard pre-approved templates for agreements spanning maintenance, programming, plaza activations, and community gardens. This would enable expedited approval, allowing the current review procedures to focus on more complex or financially impactful agreements.
- 4) Another way to streamline this burdensome process would be for the Charter to **authorize pilot project authority**; allowing certain temporary public-realm pilots (and installations) such as open streets, community markets, and other tactile urbanism, to have running approvals lasting for some duration of time, such as three years. At the end of the pilot window, there could be a stipulated review process with a path to permanency.

- 5) Finally, while outside of the Charter itself, MAS recommends that **in concert with FCRC reform, the Commission encourage review of the City's public-space permitting systems, including the Street Activity Permit Office (SAPO)**. Improving permitting processes such as a single processing platform and right-sizing review and insurance requirements, in conjunction with Charter reform would go a long way toward making it easier for civic organizations to steward and activate public spaces by reducing administrative complexity and opaque government processes. To hold this process audit accountable, the Commission could call for the FCRC to include a mandate for the SAPO process to be reviewed at a designated interim, such as every five years, to ensure that the system has right-sized procedures that enable equitable access to public spaces for public benefit.

Thank you for your consideration of these reforms. We would be happy to set time with the Commission and staff to discuss the ideas outlined above in more detail.

Sincerely,



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