



July 10, 2024

**STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY ON THE CITY OF YES FOR HOUSING OPPORTUNITY BEFORE THE NYC CITY PLANNING COMMISSION (ULURP Number: N240290ZRY)**

The New York Landmarks Conservancy is a 51-year old organization dedicated to preserving, revitalizing, and reusing New York's historic buildings and neighborhoods. We support efforts to increase affordable housing. We also want to ensure that New York's rich diversity of architecture continues to enhance the City: creating jobs, housing New Yorkers, encouraging sustainability, and welcoming visitors from around the world.

We have significant concerns with the process, the content, and the projected outcomes of City of Yes for Housing Opportunity (CoY/HO).

CoY/HO is the biggest change to New York City's Zoning Resolution in decades. Yet it has been rolled out in less time and with less meaningful public outreach than any neighborhood or even site rezoning. We've participated in rezoning processes that have been developed over years, with input from residents. Their on-the-ground knowledge about their neighborhoods has complemented the City's planners and led to more appropriate rezoning – those valuable insights are missing here.

The Department of City Planning has made numerous public appearances and shared the broad outlines for the plan. But the details that will impact every New Yorker add up to thousands of pages, and were released just a few weeks ago. The public engagement should have been longer. The proposal should have been discussed in greater depth. The Zoning Resolution itself is long and difficult to understand. We recognize the attempt to streamline it, but this rushed process has resulted in the need for even more clarification.

If CoY/HO is approved, many land use actions will no longer require ULURP. We object to this change. Residents have made investments in their communities. They should not be deprived of certainty, predictability, and a say in how their neighborhoods will evolve and grow.

If we were writing a plan for housing New Yorkers, it would start with utilizing existing resources as much as possible. Just three materials – concrete, steel, and aluminum – are responsible for 23% of total global emissions (most from the built environment). Retrofitting a building, as opposed to new construction, generally saves between 50 and 75 percent of embodied carbon. We appreciate that rules for the conversion of commercial buildings to residential use will be eased.

As there will be many new ways to acquire FAR and increase building size, at least more landmarks will have new opportunities to transfer their unused development rights. It's our understanding that this will apply only to individual landmarks, within or outside of historic



districts. However, the text should be clarified as some people have read it to mean all buildings in historic districts. Either way, it is also important to retain the existing City Council review, to ensure that the public still has a voice.

But this is only a start. There is little projection of what CoY/HO will do to older buildings, designated or not. The environmental reviews gloss over impacts to historic resources. The neighborhood prototypes don't include any local, State or national landmarks or historic districts. If wide-scale development is the goal, City Planning should be working with the Department of Buildings to strengthen TPPN 10/88 standards that are supposed to protect landmarks from nearby construction.

We are concerned about the changes to Special Districts. The rules for these Districts have been developed over years, and are especially calibrated for the particular needs of these communities. They should not be eliminated.

Another existing resource that New Yorkers value is their green space. In a seeming contradiction to other City initiatives, CoY/HO prioritizes new construction over back yards and campus open spaces. They will all be chipped away as the 30-foot residential rear yard requirement, which has been in place for decades, is proposed to be reduced and ADUs and campus infill encouraged.

Finally, the outcomes of CoY/HO are unclear. If passed, it will dramatically change our streets and communities. It will give developers so many options for new, larger buildings that it is hard to see how many will opt to create affordable units with UAP bonuses. Thousands more luxury condos will not solve the housing affordability crisis.

New Yorkers deserve to know if this is the City they want to live in before the final vote is taken. In the past, we've seen the guardrails of the Zoning Resolution pushed to the edges. We've seen developers find loopholes to exploit. We've seen new buildings in rezoned neighborhoods far beyond City Planning's own projections for development sites. That has only raised concerns about this massive set of changes, and the too-swift review.

This fast track has to slow down. We ask the City Planning Commission to press pause and give residents more time to learn about the implications of CoY/HO. As you are no doubt hearing today, there are parts that have achieved consensus, others that have stoked opposition, and some where the new text has led to so many interpretations that it is difficult to take a position. All of these issues need to be addressed before you take a vote.

Thank you for the opportunity to express the Conservancy's views.