



October 22, 2024

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

Good day Chair Riley and Council members. I'm Andrea Goldwyn speaking on behalf of the New York Landmarks Conservancy. The 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).

If CoY/HO is approved, many land use actions will no longer require ULURP. Why would you give up Council power and why would you mute the voices of your constituents? 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.

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.

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. We support this benefit to landmarks but note that it will also bring significant changes to the blocks where the development rights land. It is vital that the City Council retains its review, and that the public still has a voice in this process.

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 appreciate that rules for the conversion of commercial buildings to residential use will be eased but if we were writing a plan for housing New Yorkers, it would utilize existing



resources as much as possible, instead of encouraging their demolition. Just three materials – concrete, steel, and aluminum – are responsible for 23% of total global emissions (most from the built environment). Retrofitting a building generally saves between 50 and 75 percent of embodied carbon as opposed to new construction. Re-use of existing buildings should be the starting point for how the City creates more housing.

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 are permitted.

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.

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 affordability crisis.

Before the final vote, New Yorkers deserve to know if this will be the City where they want to live. 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 that are far beyond City Planning's 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 before you vote on the biggest overhaul of the Zoning Resolution in decades. We ask the Council to press pause and give residents more time to learn about the implications of CoY/HO. We ask the Council to keep the public's voice in the land use process; to ensure that affordable housing takes priority over luxury developments; and to protect our irreplaceable green spaces.

We're sure that you've heard from your constituents, with concerns about the City of Yes. It's crucial that those voices are heard. We hope and expect that Council members will respond to those concerns, make improvements to the proposal where possible, and eliminate sections where needed. City of Yes might have reached you in haste but its impacts will last for decades. We rely on you to ensure that this is the best way forward for New York and New Yorkers.

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