



THE ADVOCATE FOR NEW YORK CITY'S HISTORIC NEIGHBORHOODS

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New York City Department of City Planning
120 Broadway
31st Floor
New York, NY 10271

RE: HDC Advocacy Committee's Position on City of Yes

Dear Chair Garodnick,

The Historic Districts Council ("HDC") appreciates the opportunity to respond to DCP's initial ideas that form the City of Yes proposals. HDC believes in the broad goals City of Yes aims to address, and we look forward to discussing how these goals can support preservation, and how preservation can support these goals.

In light of the extensive outreach DCP has done on behalf of its City of Yes proposals, HDC urges the agency to contact the NYC Landmarks Preservation Commission in order to assess how the City of Yes proposals impact Individual Landmarks and Historic Districts, and ensure that the LPC has an opportunity to weigh in to make sure that specifics of these zoning text amendments support existing and proposed landmarks. Such outreach would also give the LPC an opportunity to review its own regulations, and potentially to craft new regulations that specifically address and do not conflict with City of Yes proposals.

In addition to fostering dialogue between the LPC and the DCP, HDC would appreciate greater transparency around which organizations are providing feedback on City of Yes, and helping to craft these proposals. We would also like to see a clearer timeline, and greater degree of detail, regarding how and when City of Yes will be implemented. Following implementation, HDC hopes for an opportunity to provide the DCP with a 3-year-review of the program's successes and challenges, in conjunction with our partner organizations.

HDC's specific comments on DCP's existing City of Yes proposal are as follows:

Zoning for Zero Carbon

- **HDC questions the city's intended roll out of "100% permitted obstruction for rooftops," and believes that the city must define "rooftops,"** so we can ascertain whether this proposal poses concerns for historic buildings. Some of our questions include:
 - How will "100% permitted obstruction" comply with fire and safety codes?

- For example, does FDNY’s mandatory 6’ clearance necessitate 6’ on a roof’s perimeter, or 6’ overhead? If 6’ overhead clearance is necessary, will solar panels be installed above that threshold? In historic districts, this will significantly impact visibility on rooftops.
- Does the “obstruction” refer exclusively to solar panels and other forms of green energy, or does it include other types of obstructions?
- **Given that the LPC already reviews solar panels, will these rules impede the LPC’s ability to review? We believe these rules should not supersede Landmark protection or put LPC’s rules into direct conflict with this new zoning change, which would publicly make landmarks seem in opposition to energy retrofits. In fact, LPC routinely approves solar panels and other energy-related rooftop accretions.**
- **HDC has serious concerns about the city’s plan to “address permitted obstruction rules to allow a wide range of novel envelope recladding retrofits.”**
 - We appreciate the concept of “novel retrofits,” but worry that this retrofitting provision will strongly incentivize developers and property owners to wholly reclad the facades of historic buildings, destroying the possibility of preservation and permanently destroying significant architectural features.
 - Given the “novel” nature of the city’s plan, we suggest exploring interior retrofits, which could support a greener New York, and uphold the integrity of landmarked buildings.

Zoning for Economic Opportunity

- HDC appreciates the City’s plan to “address loading rules that hamper changes of use.” Landmarking does not control use, and we know that **the easier it is to adapt buildings to contemporary uses, the easier it is to preserve them.**
- Regarding the City’s plan to “create new mid-density districts (e.g., 3-4 and 6-8 FAR M districts) that can be mapped through future actions,” **we wonder where the city includes or encourages community board input in zoning decisions.**
- HDC has questions about the City’s plan to “make consistent and easy to understand ground floor urban design regulations.” **How will those design regulations relate to LPC rules?**

Zoning for Housing Opportunity

- **HDC strongly supports the City of Yes provision for easing “conversions of obsolete and underutilized buildings to housing.”**
 - Advocating for the adaptive reuse of existing structures - so that they meet the needs of the current moment, while offering New Yorkers a tangible link to their past - is integral to our work as preservationists.



HISTORIC DISTRICTS COUNCIL



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- In fact, we urge the city to go a step further: **We ask that the city favor adaptive reuse citywide, and discourage demolition, because preserving buildings conserves resources.**
- To that point, we note that there are financial incentives for preservation. **We hope that the city will highlight available historic preservation tax credits in any further City of Yes materials.**
- We support the City's plan to "reduce unnecessary parking requirements to unlock housing potential," because we know that in dense areas, parking restrictions can inhibit reuse of existing buildings.
- That said, we ask whether parking requirements should be contextually applied relative to the density of a given neighborhood. In less dense neighborhoods, more parking may be feasible.
- There does not appear to be any discussion in DCP's City of Yes materials regarding Special Districts.
- How will DCP's changes to the zoning code affect Special Districts?
- We value the unique neighborhood features protected by Special Districts, such as the Special Hillside Preservation District on Staten Island, the Special City Island District in the Bronx, and the Special Bay Ridge District in Brooklyn. We are concerned that changes to the zoning code affecting special districts may compromise or eliminate the special character and sense of place that Special Districts protect.

I look forward to discussing these proposals with you further, and continuing to be part of the City of Yes process.

Thank you,



Frampton Tolbert
Executive Director

cc: Sarah Carroll, Chair, Landmarks Preservation Commission