



Joint Statement of Assemblymember Linda B. Rosenthal, Senator Robert Jackson and Advocates in Response to NYC Department of City Planning Release of Weakened Mechanical Voids Text Amendment

April 9, 2019

Statement on behalf of:

● *Assemblymember Linda B. Rosenthal* ● *Senator Robert Jackson* ● *Landmarks West!* ● *Friends of the Upper East Side* ● *Save Central Park NYC* ● *Historic Districts Council* ● *Human Scale NYC* ● *Greenwich Village Society for Historic Preservation* ● *West End Preservation Society* ● *The Committee for Environmentally Sound Development*

New York, NY – “Today, the New York City Department of City Planning (DCP) released a stunningly weakened [text amendment proposal](#) purporting to close the mechanical voids loophole, when in fact it only codifies it, cementing opportunity for luxury developers to mold our cityscape to their own benefit.

The modified proposal released today takes what was already an unnecessarily generous, developer-friendly text amendment – roundly condemned by citywide advocates – and removes what little restriction it contained. On April 10, DCP is scheduled to vote on the new language, which allows for developers to incorporate 30 feet of mechanical equipment every 75 feet of total building height.

The newest amendment language is a prime example of what happens when City Hall shirks its responsibility and developers write the rules. Buildings simply do not need 30 feet of space, every 75 feet, to house mechanical equipment. The result of DCP’s rule is that nearly thirty percent of every new building could be empty space. This is space that could be used for affordable housing, to maintain access to light and to open air, but will now be empty so that luxury developers can continue their assault on our skies to reap sky-high profits.

Don’t be fooled: the text amendment presented does not close the loophole, it actually codifies it. The whittling away of an already lackluster text amendment makes clear that the stranglehold developers have over our City has not been weakened.

It is our hope that the New York City Council, which will review and vote on the amendment once approved by DCP, will see just how paper-thin the proposed amendment has become.

Fortunately, this fight is also being waged on another front. While the City has an opportunity to fix this, we are already moving the fight to the state level, where a newly empowered legislature has its sights set on addressing the causes of inequality and wresting the power away from the real estate power brokers and restoring it back to the people. Closing the mechanical void loophole isn't just about zoning, it's about breaking the iron grip of developers over decisions that affect our cityscape.

Assemblymember Linda B. Rosenthal and Senator Robert Jackson have introduced legislation ([A.5026/S.3820](#)) that will comprehensively close the mechanical voids loophole. With the City's disinterest in working to close this glaring loophole becoming increasingly clear, the imperative of passing this state-level legislation is ever more apparent. For a city so starved for both affordable housing and space, we cannot tolerate zoning that invites developers to perch super luxury housing units atop empty void space. With nearly half of households in New York City being rent burdened, we have no room for hollowed-out super towers.”