

June 14, 2024

Subject: AIA New York Comments on Int 0772-2024

American Institute of Architects New York (AIANY) writes to express concerns with [Int 0772-2024](#). Established in 1857, AIANY represents more than 5,000 architects and design professionals committed to positively impacting the physical and social qualities of our city.

Int 0772-2024 is a proposal to alter the building emissions calculation, adjustments, and penalties for co-ops and condos with ground floor open and green spaces adjacent to the building. AIANY supports the section of the bill to adjust penalties for buildings that have installed energy efficiency systems, such as solar photovoltaic systems and submetering for individual apartments, but we are concerned about the implications of expanding the gross floor area for calculating the building's emissions. AIANY strongly supported Local Law 97 of 2019, and we want to see its implementation have the largest impact possible to meet the ambitious goals outlined in the law.

AIANY recommends the City Council, instead, provide financial incentives and assistance for buildings to make necessary retrofits rather than creating carve outs for buildings with open and green space. Any effort to reduce the requirements of Local Law 97 is a slippery slope, resulting in a prolonged process to meet the ambitious climate goals. In this moment, as a city, we need to be taking steps to encourage and assist building owners in making the retrofits needed to meet their emission limits, rather than giving building owners additional opportunities to delay or get out of stringent penalties.

By adjusting the calculation for allowable emissions for co-op and condo buildings with open and green space, it will increase the amount of square footage buildings are allowed to divide their carbon emissions by, which could substantially reduce the building's allowable emissions. As a result, buildings without open and green space would face more stringent targets, resulting in a disproportionate weight on buildings without open and green space to make up the difference.

We strongly encourage the City Council to amend this legislation to provide financial assistance for buildings to make necessary retrofits to comply with Local Law 97 rather than carve out buildings with open and green space.