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## **AIA New York Statement on Void and Ceiling Heights**

The New York City Zoning Code establishes various development controls, including floor area ratios (FAR), to ensure development goals such as equitable access to sunlight and air for occupants and pedestrians alike.

There have been some instances recently where luxury residential buildings have skirted regulations around zoning. These buildings include unusually large mechanical voids, which do not count towards FAR. This allows buildings to be taller than normally permissible in order to enhance views, while making the lower floors devoid of life, creating an unwelcome feeling for pedestrians. The NYC Department of City Planning's (DCP) proposal to limit mechanical void height for residential buildings to 25 feet, with 75 feet separating voids, is an attempt to address this issue.

AIA New York believes the height limit should be 25 feet to 35 feet clear of structure, which is within range of DCP's proposal. In the rare cases where a building's mechanical systems require more than the allotted height, designers and developers would maintain the ability to do so, though this would count towards FAR. AIANY has long been an advocate for quality design that contributes positively to communities and promotes equitable access to the city's multiple and diverse assets, including light, air, and a welcoming public realm.

However, AIANY is against prescriptive limits on residential building ceiling height. Bills such as New York State's A5026/S3820, which would count any residential building floor with ceiling height above 12 feet twice towards FAR, represent overreactions to the abuse of mechanical voids. This would affect all floors, whether their predominant use is as a mechanical space, a lobby, residences, or amenity space.

Furthermore, prescriptive limits on ceiling height would cause new construction to become far more monotonous, creating fewer opportunities for differentiation and variety, qualities that distinguish great cities. Neighborhoods with significant amounts of new construction, which are often less well off, would be impacted most.

AIANY will continue to advocate for good design for all New Yorkers. Buyers able to afford units above the ground plane do not have a right to purchase their home-with-a-view at the expense of the streetscape. At the same time, the State does not have the right to subject poorer areas of the city to endless rows of identical apartment buildings that could result from city-wide ceiling-height mandates. We need action by the City and State that is in line with good design, and good city planning practices to alleviate these problems.

Sincerely,

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