

1 **Proposed Charter Amendment Text**

Question 2: Expedited Land Use Review Procedure

2 Section 1. Section 197-d of the New York city charter, as added by a vote of the
3 electors at a general election held on November 7, 1989, is amended to read as follows:

4 § 197-d. Council Review. a. The city planning commission shall file with the
5 council and with the affected borough president a copy of its decisions to approve or approve
6 with modifications (1) all matters described in subdivision a of section one hundred ninety-
7 seven-c, (2) plans pursuant to section one hundred ninety-seven-a, and (3) changes in the text of
8 the zoning resolution pursuant to sections two hundred and two hundred one. Any such filing of
9 a decision pursuant to section one hundred ninety-seven-c shall be completed prior to the
10 expiration of the sixty-day period for action by the commission. Any such filing with the council
11 shall include copies of all written recommendations of community boards, borough boards and
12 borough presidents with respect to the decision being filed.

13 b. [The] Except for decisions of the city planning commission to approve or
14 approve with modifications applications reviewed pursuant to the expedited land use review
15 procedure set forth in subdivisions c through j of section one hundred ninety-seven-e, the
16 following decisions filed with the council pursuant to subdivision a of this section, shall be
17 subject to review and action by the council:

18 (1) any decision of the city planning commission to approve or approve with
19 modifications a matter described in paragraph three or eight of subdivision a of section one
20 hundred ninety-seven-c, a disposition of residential real property (as defined in this paragraph)

1 pursuant to paragraph ten of subdivision a of section one hundred ninety-seven-c [(except for
2 dispositions to companies that have been organized exclusively to develop housing projects for
3 persons of low income)], a plan pursuant to section one hundred ninety-seven-a, or a change in
4 the text of the zoning resolution pursuant to sections two hundred or two hundred one, except for
5 a change to such text pursuant to paragraph four of subdivision a of section two hundred. For
6 purposes of this section, residential real property shall mean real property improved by
7 structures, whether or not occupied, built for or converted to a use which is primarily residential,
8 but shall not include property subsequently converted to non-residential use;

9 (2) any other decision of the city planning commission to approve or approve with
10 modifications a matter described in subdivision a of section one hundred ninety-seven-c, if (i)
11 both an affected community board (after holding a public hearing) and the affected borough
12 president, within the time periods allotted for their reviews pursuant to section one hundred
13 ninety-seven-c, have recommended in writing against approval and (ii) the affected borough
14 president, within five days of receiving a copy of the decision of the commission, files with the
15 commission and the council a written objection to the decision; and

16 (3) any other decision of the city planning commission to approve or approve with
17 modifications a matter described in subdivision a of section one hundred ninety-seven-c, if
18 within twenty days of the filing of such decision pursuant to subdivision a of this section, the
19 council resolves by the majority vote of all the council members to review the decision of the
20 commission.

21 c. [Within] Except as provided in subdivision c-1 of this section, within fifty days
22 of the filing with the council pursuant to subdivision a of this section of any decision of the city

1 planning commission which pursuant to subdivision b of this section is subject to review by the
2 council, the council shall hold a public hearing, after giving public notice not less than five days
3 in advance of such hearing, and the council, within such fifty days, shall take final action on the
4 decision. The affirmative vote of a majority of all the council members shall be required to
5 approve, approve with modifications or disapprove such a decision. If, within the time period
6 provided for in this subdivision and, if applicable, in subdivision d of this section, the council
7 fails to act or fails to act by the required vote on a decision of the city planning commission
8 subject to council review pursuant to subdivision b of this section, the council shall be deemed to
9 have approved the decision of the commission.

10 c-1. Notwithstanding subdivision c of this section, within thirty days of any filing
11 with the council of any application made by the city pursuant to paragraph one of subdivision k
12 of section one hundred ninety-seven-e, or within forty-five days of any such filing made during
13 the months of June, July or August, the council shall hold a public hearing, after giving public
14 notice not less than five days in advance of such hearing, and, within such thirty days or forty-
15 five days, as applicable, approve or disapprove such application. The affirmative vote of a
16 majority of all the council members shall be required to approve or disapprove such a decision.
17 If, within the time period provided for in this subdivision, the council fails to act or fails to act by
18 the required vote on an application made pursuant to this section, the council shall be deemed to
19 have approved the application.

20 d. The council shall not approve with modifications a commission decision if the
21 commission has determined pursuant to this subdivision that additional review of the
22 modifications is required. Prior to approving a decision of the commission with modifications,

1 the council shall file the text of any such proposed modifications with the commission. Within
2 fifteen days of such filing, the commission shall file with the council a written statement
3 indicating whether such proposed modifications are of such significance that additional review of
4 environmental issues or additional review pursuant to section one hundred ninety-seven-c is
5 required. If no additional review is required, the commission may include in such statement its
6 advisory recommendation concerning the proposed modifications, together with any proposed
7 amendments to the proposed modifications. The council may thereafter approve such proposed
8 modifications, with or without the amendments proposed by the commission. The time period for
9 council action shall be tolled during such fifteen-day period[;], provided, however, that proposed
10 modifications may be referred to the commission pursuant to this subdivision only once with
11 respect to each application or group of related applications under review by the council.

12 e. All actions of the council pursuant to this section shall be filed by the council
13 with the mayor prior to the expiration of the time period for council action under subdivisions c
14 and, if applicable, d of this section. Actions of the council pursuant to this section shall be final
15 unless the mayor within five days of receiving a filing with respect to such an action of the
16 council files with the council a written disapproval of the action. Any mayoral disapproval under
17 this subdivision shall be subject to override by a two-thirds vote of all the council members
18 within ten days of such filing by the mayor.

19 f. The mayor shall have the right to file a written disapproval of any approval
20 deemed to have occurred pursuant to [subdivision] subdivisions c or c-1 of this section as a result
21 of a failure of the council to act or to act by the required vote. Any such written disapproval must
22 be filed within five days of the expiration of the time period for action by the council under

1 subdivisions c and, if applicable, d of this section. Any mayoral disapproval under this
2 subdivision shall be subject to override by a two-thirds vote of all the council members within
3 ten days of such filing by the mayor.

4 g. If a decision of the commission approving an application is not subject to
5 council review pursuant to paragraph one of subdivision b of this section or is not made subject
6 to council review pursuant to paragraphs two or three of subdivision b of this section, the mayor
7 may nonetheless file with the council a written objection to such decision of the commission
8 within five days of the expiration of time for the council to act under paragraph three of
9 subdivision b of this section. Any mayoral objection under this subdivision shall be subject to
10 override by a two-thirds vote of all the council members within ten days of such filing by the
11 mayor.

12 § 2. Subdivision b of section 199 of the New York city charter, as amended by a
13 vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

14 b. The review of any proposed addition to or change in the city map initiated by or
15 referred to the city planning commission shall be made pursuant to section one hundred ninety-
16 seven-c and section one hundred ninety-seven-d, or pursuant to section one hundred ninety-seven-
17 e, as applicable.

18 § 3. Subdivision a of section 218 of the New York city charter, as amended by a
19 vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

20 a. The selection of sites for capital projects shall be pursuant to the uniform
21 procedures provided pursuant to sections one hundred ninety-seven-c and one hundred ninety-
22 seven-d, except for acquisition of office space pursuant to section one hundred ninety-five, and

1 except for the selection of a site for a resiliency project, a solar energy generation project, or the
2 creation of open space subject to section one hundred ninety-seven-e.

3 § 4. Chapter 8 of the New York city charter is amended by adding a new section
4 197-e to read as follows:

5 § 197-e. Expedited land use review procedure. a. Definitions. For the purposes of
6 this section, the following terms have the following meanings:

7 Base flood elevation. The term “base flood elevation” has the same meaning as set
8 forth in section 202 of the New York city building code.

9 Coastal special flood hazard area. The term “coastal special flood hazard area”
10 refers to the areas of land as identified on the flood insurance rate maps referenced in the New
11 York city building code section G402 pursuant to article 36 of the New York state environmental
12 conservation law.

13 Open space. The term “open space” means real property that: (i) is outdoors, (ii) is
14 owned by the city, (iii) is available for public access or is protected as a sensitive natural area, and
15 (iv) serves to mitigate impacts from or to reduce vulnerability to rising sea levels, extreme weather
16 events and natural disasters, including but not limited to parks, promenades, esplanades,
17 greenways, nature preserves, and recreational piers.

18 Resiliency project. The term “resiliency project” means any construction or
19 improvement for which the primary purpose is to mitigate impacts from or to reduce vulnerability
20 to rising sea levels, extreme weather events, and natural disasters, including but not limited to
21 coastal flood protection infrastructure, wetland protection and expansion, and stormwater
22 drainage.

1 Solar energy generation project. The term “solar energy generation project” means
2 a project for which the primary purpose is to generate electricity through the use of photovoltaics.

3 Ten-year rainfall flood risk area. The term “ten-year rainfall flood risk area” means
4 an area designated on a map promulgated by the department of environmental protection that
5 represents locations in the city where there is a ten percent chance or greater of rainfall-induced
6 flooding in any year.

7 b. Notwithstanding subdivision a of section one hundred ninety-seven-c and except
8 as provided in subdivision k of this section, applications by any person or agency for any of the
9 following changes, approvals, permits, or authorizations thereof, respecting the use, development
10 or improvement of real property subject to city regulation in any of the following categories, that
11 would otherwise be subject to review pursuant to section one hundred ninety-seven-c, shall be
12 reviewed pursuant to the expedited review procedure set forth in this section:

13 1. Any of the following changes in the city map pursuant to section one hundred
14 ninety-eight and section one hundred ninety-nine:

15 (a) (1) The mapping or discontinuance of a street, other than the discontinuance of
16 an existing built street, to enable or facilitate a project for the development or preservation of
17 affordable housing developed or preserved by a company that has been organized exclusively to
18 develop housing projects for persons of low income, or for the development of a resiliency project
19 or open space; or

20 (2) The mapping of any street needed to meet the street or highway public access
21 requirements set forth in section thirty-six of the general city law;

1 (b) The raising of the grade of a street or bridge to no more than two and a half feet
2 above the base flood elevation in any area for which such a base flood elevation has been specified
3 or determined in accordance with the New York city building code, or, in any area where a base
4 flood elevation has not been specified or determined, to no more than two and a half feet above
5 the grade of such street or bridge as established on or before the effective date of this section;

6 (c) The widening of any street or bridge, as necessary to enable a raising of such
7 street or bridge as described in subparagraph b, no more than five feet greater than the width of
8 such street or bridge as established on or before the effective date of this section;

9 (d) Any other change to the city map relating to the acquisition of real property by
10 the city for the purposes of a resiliency project or creation of open space;

11 2. Designations of zoning districts under the zoning resolution, including
12 conversion from one land use to another land use, pursuant to sections two hundred and two
13 hundred one, provided that the area to be designated permits residential uses at the time of
14 application and that no part of the area to be designated has been designated pursuant to this
15 paragraph in the ten years prior to such application, and provided further that:

16 (a) where the district designated at the time of application (i) is a residence district,
17 or a commercial district that allows residential uses equivalent to such residence district, (ii) has a
18 standard maximum residential building height of greater than forty-five feet, regulates the
19 maximum height of buildings by something other a horizontal plane and such other plane permits
20 residential buildings to exceed forty-five feet, or has no maximum building height, the district to
21 be designated, (i) would increase maximum residential floor area, (ii) such increase does not
22 exceed thirty percent and (iii) would not be a zoning district that regulates the maximum height of

1 buildings by anything other than a horizontal plane, unless the district designated at the time of
2 application also does not regulate the maximum height of buildings by a horizontal plane; or

3 (b) for any other designation, the district to be designated would increase residential
4 capacity, has a standard maximum residential floor area of not more than 2.0, and has a standard
5 maximum residential building height of not more than forty-five feet;

6 3. Site selection for any capital project that is a resiliency project, solar energy
7 generation project or project for the creation of open space, pursuant to section two hundred
8 eighteen, provided that any buildings included in such capital project shall have an area, in the
9 aggregate, of no more than five thousand square feet;

10 4. Sale, lease (other than the lease of office space), exchange, or other disposition
11 of the real property of the city, including the sale or lease of land under water pursuant to section
12 eight hundred twenty-four, chapter fifteen, and other applicable provisions of law, to private
13 owners of abutting property or an entity comprised thereof, provided such real property of the city
14 is not inalienable property and cannot be independently developed, as determined by the mayor,
15 because singly or in combination, its size, shape, applicable zoning, configuration, or topography
16 render such development economically impracticable or infeasible;

17 5. Lease of the real property of the city, for purposes of a solar energy generation
18 project;

19 6. Acquisition by purchase by the city of real property (other than the acquisition
20 of office space for office use or a building for office use), including the acquisition of land under
21 water pursuant to section eight hundred twenty-four, chapter fifteen, and other applicable
22 provisions of law, for the purpose of a voluntary buy-out program of property, provided that:

1 (a) Such property is used for residential purposes, contains no less than one and no
2 more than four dwelling units, and is located in either a coastal special flood hazard area or a ten-
3 year rainfall flood risk area;

4 (b) Such property is located in an area that, on any date within the five years
5 preceding the date of filing the application, was a federally declared disaster area; or

6 (c) Such acquisition is authorized by a local law relating to a voluntary buy-out
7 program;

8 7. Acquisition by the city of real property (other than the acquisition of office space
9 for office use or a building for office use), including acquisition by purchase, condemnation,
10 exchange or lease and including the acquisition by purchase of land under water pursuant to section
11 eight hundred twenty-four, chapter fifteen, and other applicable provisions of law, for the purpose
12 of developing a resiliency project, open space, or a solar energy generation project, and provided
13 that such property:

14 (1) Contains freshwater wetlands or tidal wetlands that are adjacent to city-owned
15 property, as such terms are defined in sections 24-0107 and 25-0103 of the environmental
16 conservation law, respectively;

17 (2) Is undeveloped and in a mapped street or extends under water;

18 (3) Has no owner of record; or

19 (4) Is privately owned, is adjacent to city-owned property, and cannot be
20 independently developed, as determined by the mayor, because, singly or in combination, its size,
21 shape, applicable zoning, configuration, or topography render such development economically
22 impracticable or infeasible.

1 8. Such other matters involving the use, development or improvement of property
2 as are proposed by the city planning commission and enacted by the council pursuant to local law.

3 c. For any application reviewed pursuant to this section, except as set forth in
4 subdivision k of this section, the applicant shall file with the department of city planning the
5 documents required for applications reviewed under the uniform land use review procedure, as set
6 forth in subdivision b of section one hundred ninety-seven-c. The department of city planning shall
7 forward a copy of any materials it receives pursuant to this subdivision (whether or not such
8 materials have been certified as complete) within five days to each affected borough president or
9 community board.

10 d. The department of city planning shall be responsible for certifying that
11 applications filed with such department pursuant to subdivision c of this section are complete and
12 ready to proceed through the expedited land use review procedure. The department shall not certify
13 an application unless (1) each affected borough president and community board has received from
14 the department, at least thirty days before certification, a pre-certification notice containing
15 information specified by the city planning commission, which shall include the project location,
16 the purpose of the proposed actions, and a description of the proposed actions, sufficient to put
17 such borough president and community board on notice of the substance of the application, and
18 (2) the application is substantially consistent with such notice. The department shall also publish
19 such notice on the department's website within five days of such transmission. Upon certification
20 of an application, the department shall give notice of such certification to the council.

1 e. 1. Except as otherwise provided in paragraph two of this subdivision or in
2 subdivision k of this section, each affected community board shall, not later than sixty days after
3 receipt of an application that has been certified pursuant to subdivision d of this section:

4 (a) notify the public of the application in a manner specified by the city planning
5 commission pursuant to subdivision h of this section; and

6 (b) either (i) conduct a public hearing thereon and prepare and submit a written
7 recommendation to the city planning commission, or (ii) where authorized by this charter, submit
8 a written waiver of the right to conduct a public hearing and to submit such written
9 recommendations to the commission.

10 2. Where an application has been certified during the month of June, the affected
11 community board shall provide notification pursuant to subparagraph a of paragraph one of this
12 subdivision and conduct a hearing or, where authorized, submit a waiver of the right to conduct a
13 public hearing pursuant to subparagraph b of paragraph one of this subdivision not later than ninety
14 days after receipt of such application or, where such application is certified during the period of
15 time from and including July 1 to and including July 15, not later than seventy-five days after
16 receipt of such application.

17 f. 1. Except as otherwise provided in paragraph two of this subdivision, each
18 affected borough president shall, not later than sixty days after receipt of an application that has
19 been certified pursuant to subdivision d of this section, submit a written recommendation or waiver
20 thereof to the city planning commission.

21 2. Where an application has been certified during the month of June, the affected
22 borough president shall submit such recommendation or waiver not later than ninety days after

1 receipt of such application or, where such application is certified during the period of time from
2 and including July 1 to and including July 15, not later than seventy-five days after receipt of
3 such application.

4 g. Not later than thirty days after expiration of time allowed for the filing of a
5 recommendation or waiver with the city planning commission by the affected community board
6 and borough president, the commission shall conduct a public hearing on such application and
7 approve, approve with modifications, or disapprove the application. Any such approval or approval
8 with modifications of the commission shall require the affirmative vote of at least seven of the
9 members. Prior to taking any action pursuant to this subdivision on a matter involving the siting
10 of a capital project, the sale, lease, exchange or other disposition or acquisition of real property,
11 the city planning commission may obtain a report from the office of management and budget or
12 the department of citywide administrative services, as appropriate. Any action of the city planning
13 commission which modifies or disapproves a written recommendation of the affected community
14 board or borough president shall be accompanied by a written explanation of its reason for such
15 action. Notwithstanding any contrary provision of this chapter, the city planning commission shall
16 not file an application reviewed pursuant to this section with the council, and such an application
17 filed pursuant to this section shall not be subject to section one hundred ninety-seven-d, except as
18 set forth in subdivision k of this section.

19 h. The city planning commission shall establish rules providing (1) guidelines,
20 minimum standards, and procedural requirements for community boards, borough presidents, and
21 the commission in the exercise of their duties and responsibilities pursuant to this section, (2)
22 minimum standards for certification of applications pursuant to subdivision d of this section, and

1 (3) specific time periods for review of applications pursuant to this section prior to certification.

2 The commission may establish such other rules as necessary for the implementation of this section,
3 including rules for determining whether an application is subject to review pursuant to this section.

4 i. If a community board or borough president fails or waives its right to act within
5 the time limits for review pursuant to subdivisions e or f of this section, the application shall be
6 referred to city planning commission, except as set forth in subdivision k of this section. If the city
7 planning commission fails to act on an application within the time limit specified in subdivision g
8 of this section, the application shall be deemed to have been denied.

9 j. Notice of any hearing on an application by the city planning commission shall be
10 published in the city record at least ten days immediately prior to the date of the hearing, and a
11 copy of the notice shall be mailed to all community boards affected by the application.

12 k. 1. Notwithstanding subdivision a of section one hundred ninety-seven-c or any
13 provision of this section to the contrary, applications by an agency for any of the following
14 changes, approvals, permits, or authorizations thereof, respecting the use, development or
15 improvement of real property subject to city regulation in any of the following categories, that
16 would otherwise be subject to review pursuant to section one hundred ninety-seven-c, shall be
17 reviewed pursuant to the procedure set forth in this subdivision:

18 (a) Sale, lease, exchange, or other disposition of the real property of the city,
19 including the acquisition of land under water pursuant to section eight hundred twenty-four,
20 chapter fifteen, and other applicable provisions of law, to companies that have been organized
21 exclusively to develop housing projects for persons of low income; and

1 (b) Acquisition by the city of real property, including acquisition by purchase,
2 condemnation, exchange or lease and including the acquisition of land under water pursuant to
3 section eight hundred twenty-four, chapter fifteen, and other applicable provisions of law for the
4 purpose of disposition of such property to a company that has been organized exclusively to
5 develop housing projects for persons of low income.

6 2. The applicant shall submit to each affected community board and affected
7 borough president the documents required for applications reviewed under the uniform land use
8 review procedure, as set forth in subdivision b of section one hundred ninety-seven-c.

9 3. Each affected community board and affected borough president shall, not later
10 than sixty days after receipt of such application, prepare and submit a written recommendation to
11 the council and to the applicant, provided that such community board shall notify the public of the
12 application and conduct a public hearing prior to such submission. Where such application is
13 received during the month of June, the affected community board shall notify the public of the
14 application and conduct a public hearing or, where authorized, submit a waiver of the right to
15 conduct a public hearing not later than ninety days after receipt of such application or, where such
16 application is received during the period of time from and including July 1 to and including July
17 15, not later than seventy-five days after receipt of such application.

18 4. If a community board or borough president fails or waives its right to act within
19 the time limits for review pursuant to paragraph three of this subdivision, the application shall be
20 referred to the council for review and action.

21 5. The applicant shall file such application with the council, and such application
22 shall be reviewed in accordance with subdivision c-1 of section one hundred ninety-seven-d. Any

1 such filing with the council shall include copies of all written recommendations of community
2 boards and borough presidents with respect to the decision being filed.

3 1. 1. Notwithstanding any provision in this section to the contrary, applications filed
4 pursuant to paragraphs one through eight of subdivision b or subdivision k of this section that are
5 required by law to include an environmental impact statement shall not be subject to the expedited
6 land use review procedure as set forth in this section.

7 2. Notwithstanding any provision in this section to the contrary, an application
8 subject to one hundred ninety-seven-e that is filed in conjunction with an application subject to
9 section one hundred ninety-seven-c may adhere to the review process set forth in sections one
10 hundred ninety-seven-c and one hundred ninety-seven-d.

11 § 5. Section 200 of the New York city charter, as amended by a vote of the electors
12 at a general election held on November 7, 1989, is amended to read as follows:

13 a. Except as provided in subdivision b, any existing resolution or regulation of the
14 council, the board of estimate or of the city planning commission to regulate and limit the height
15 and bulk of buildings, to regulate and determine the area of yards, courts and other open spaces,
16 to regulate density of population or to regulate and restrict the locations of trades and industries
17 and location of buildings designed for specific uses or creating districts for any such purpose,
18 including any such regulation which provides that the board of standards and appeals may
19 determine and vary the application of such resolutions or regulations in harmony with their general
20 purpose and intent and in accordance with general or specific rules contained in such regulations,
21 may be amended, repealed or added to only in the following manner:

1 1. The city planning commission may upon its own initiative at any time or upon
2 application as provided in section two hundred one, adopt a resolution to amend the text of the
3 zoning resolution subject to the limitations provided by law. Before adopting any such resolution,
4 the commission shall notify any community board or borough board affected by the resolution and
5 shall afford persons interested an opportunity to be heard at a time and place to be specified in a
6 notice of hearing to be published in the City Record for the ten days of publication of the City
7 Record immediately prior thereto setting forth in general terms the nature of the proposed
8 resolution and a statement of the place at which the entire resolution may be examined.

9 2. Any resolution by the commission approving a change in the text of the zoning
10 resolution shall be subject to review and approval by the council pursuant to section one hundred
11 ninety-seven-d. Any resolution for a zoning text change which the mayor shall have certified to
12 the council as necessary, and which has been disapproved by the commission, may be adopted by
13 the council by a two-thirds vote and, after notice to the parties affected, a public hearing. The
14 council shall act upon such resolution within fifty days of the filing of the certification of the mayor
15 with the council, and such resolution shall become effective upon approval by the council.

16 3. In case a protest against such a resolution approved by the city planning
17 commission shall have been presented to the city clerk within thirty days from the date of the filing
18 of such resolution with the council, duly signed and acknowledged by the owners of twenty per
19 cent or more of the area of:

20 (1) the land included in changes proposed in such proposed resolution, or

21 (2) the land immediately adjacent extending one hundred feet therefrom, or

1 (3) the land, if any, directly opposite thereto extending one hundred feet from the
2 street frontage of such opposite land, such resolution shall not be effective after the filing of such
3 protest unless approved by the council by a three-fourths vote within one hundred eighty days after
4 the filing of said resolution with the city clerk. The effective date of such resolution, if so approved,
5 shall be the date of such approval. A protest duly filed as herein provided may be withdrawn at
6 any time within sixty days from the date of the filing of such resolution.

7 4. Notwithstanding anything in this subdivision to the contrary, where a resolution
8 that would apply to specified parcels of real property a program established in the zoning resolution
9 that mandates that any new housing on designated lots include minimum percentages of
10 permanently affordable housing equivalent to or exceeding the requirements under any mandatory
11 inclusionary housing program is proposed in conjunction with an application that is reviewed
12 under section one hundred ninety-seven-e, the adoption of such resolution shall be pursuant to the
13 expedited land use review procedure set forth in subdivisions c through j of section one hundred
14 ninety-seven-e instead of the review procedure set forth in paragraphs one through three of this
15 subdivision.

16 b. Designations of zoning districts under the zoning resolution and the issuance of
17 special permits which under the terms of the zoning resolution are within the jurisdiction of the
18 city planning commission shall be subject to review and approval pursuant to the procedures
19 provided in section one hundred ninety-seven-c and section one hundred ninety-seven-d, except
20 for applications to designate a zoning district under the zoning resolution reviewed in accordance
21 with section one hundred ninety-seven-e, and except that whenever the city planning commission
22 has not recommended approval of a proposed change in the designation of a zoning district or the

1 issuance of a special permit under the zoning resolution or has failed to act on such a matter within
2 the time specified in section one hundred ninety-seven-c, the council by a two-thirds vote may
3 approve such change or the issuance of such permit only if the mayor shall have certified to the
4 council that such change or issuance is necessary. The council shall act upon such designation or
5 permit within fifty days of the filing of the certification of the mayor with the council.

6 § 6. Subdivision a of section 201 of the New York city charter, as amended by a
7 vote of the electors at a general election held on November 7, 1989, is amended to read as follows:

8 a. Applications for changes in the zoning resolution may be filed by any taxpayer,
9 community board, borough board, borough president, by the mayor or by the land use committee
10 of the council if two-thirds of the members of the committee shall have voted to approve such
11 filing with the city planning commission. All such applications involving changes in the
12 designation of zoning districts under the zoning resolution shall be subject to review and approval
13 pursuant to section one hundred ninety-seven-c and one hundred ninety-seven-d, except as set forth
14 in section one hundred ninety-seven-e. For applications involving other changes in zoning
15 resolutions and regulations, the commission prior to taking action upon any such application shall
16 refer it to the affected community boards or borough boards for a public hearing and
17 recommendation, provided, however, that applications described in paragraph four of section two
18 hundred, shall be referred to affected community boards and the affected borough president in
19 accordance with the expedited land use review procedure set forth in section one hundred ninety-
20 seven-e.

21 § 7. Section 1152 of the New York city charter is amended by adding a new
22 paragraph 2 of subdivision p to read as follows:

1 p. (2) The amendments to the charter amending sections 197-d, 199, 200, 201, 218
2 and adding a new section 197-e, approved by the electors on November 4, 2025, shall take effect
3 immediately upon certification that the electors have approved such amendments to the charter,
4 provided that such amendments shall not apply to an application that has been certified as complete
5 pursuant to section 197-c at the time such amendments take effect.