

Proposed Charter Amendment Text

Question 1: Fast Track for Affordable Housing

Section one. Chapter 8 of the New York city charter is amended by adding a new section 197-f to read as follows:

§ 197-f. Affordable housing fast track. a. No later than October 1, 2026, and every five years thereafter, the director of city planning shall determine and post on the website of the department a list of the twelve community districts which, during the preceding five years, had the lowest rate of affordable housing development, as measured by the total number of new affordable dwelling units in a community district as a percentage of the total number of housing units located in such community district at the start of each five-year cycle. The city planning commission shall, in consultation with the commissioner of housing preservation and development, develop a methodology to calculate the total number of affordable dwelling units in each community district, considering data that includes, but need not be limited to, the total number of affordable dwelling units for which the department of buildings has issued a permit for construction work and, where applicable, the date upon which an affordable housing unit becomes subject to a regulatory agreement or other similar instrument that provides for the creation of one or more affordable dwelling units. For the purposes of this section, the term “affordable dwelling unit” has the same meaning as set forth in subdivision a of section sixteen-

a.

b. Applications by any person or agency for any changes, approvals, permits, or authorizations thereof, respecting the use, development or improvement of real property, that would otherwise be subject to review pursuant to section one hundred ninety-seven-c, shall be

instead reviewed pursuant to the expedited land use review procedure set forth in section one hundred ninety-seven-e, provided that:

1. Such real property is located in a community district that, on the date of the filing of such application, is included on the list posted by the director pursuant to subdivision a of this section;

2. Such real property is, or would be if such application is approved, subject to a program established in the zoning resolution that mandates that any new housing on designated lots include minimum percentages of permanently affordable housing equivalent to or exceeding the requirements under any mandatory inclusionary housing program;

3. Such application is filed between the first of January succeeding the posting of the list required by subdivision a of this section identifying the community district in which such real property is located and the thirty-first of December five years thereafter; and

4. The department of city planning certifies such application as complete on or before the thirty-first of December five years succeeding the posting of the list required by subdivision a of this section, provided that where such application is filed within two years of such date, such department shall certify such application as complete no later than two years after such application is filed.

c. The department of city planning and city planning commission, as applicable, shall make the determinations set forth in this subdivision regarding an application described in subdivision b of this section. (1) The department shall not certify an application as complete unless it confirms that a primary purpose of such application is to facilitate additional housing and affordable housing.

(2) In determining, pursuant to section one hundred ninety-seven-e, whether to approve, approve with modifications, or disapprove an application described in subdivision b of this section, the city planning commission shall assess and make a finding regarding the consistency of such application with the fair housing plan submitted pursuant to subdivision b of section sixteen-a and the adequacy of existing transportation, sewer and other infrastructure.

d. The commission may promulgate rules as necessary for the implementation of this section, including, but not limited to, rules relating to the selection of data used to identify the number of affordable housing units in a community district, as set forth in subdivision a of this section.

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

§ 197-e. Expedited land use review procedure. a. Notwithstanding subdivision a of section one hundred ninety-seven-c, applications by any person or agency for any changes, approvals, permits, or authorization described in subdivision b of section one hundred ninety-seven-f that would otherwise be subject to review pursuant to section one hundred ninety-seven-c, shall be reviewed pursuant to the expedited review procedure set forth in this section.

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

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

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

(a) notify the public of the application in a manner specified by the city planning commission pursuant to subdivision g of this section, and

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

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

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

(2) Where an application has been certified during the month of June, the affected borough president shall submit such recommendation or waiver not later than ninety days after receipt of such application or, where such application is certified during the period of time from and including July 1 to and including July 15, not later than seventy-five days after receipt of such application.

f. Not later than thirty days after expiration of time allowed for the filing of a recommendation or waiver with the city planning commission by the affected community board and borough president, the commission shall conduct a public hearing on such application and approve, approve with modifications, or disapprove the application, provided, however, that where the department determines that an application is required by law to include an environmental impact statement, the commission shall approve, approve with modifications, or

disapprove such application no later than forty-five days after such expiration of time. Any such approval or approval with modifications of the commission shall require the affirmative vote of at least seven of the members. Any action of the city planning commission which modifies or disapproves a written recommendation of the affected community board or borough president shall be accompanied by a written explanation of its reason for such action. Notwithstanding any contrary provision of this chapter, the city planning commission shall not file an application reviewed pursuant to this section with the council, and such an application filed pursuant to this section shall not be subject to section one hundred ninety-seven-d.

g. The city planning commission shall establish rules providing (1) guidelines, minimum standards, and procedural requirements for community boards, borough presidents, and the commission in the exercise of their duties and responsibilities pursuant to this section, (2) minimum standards for certification of applications pursuant to subdivision b of this section, and (3) specific time periods for review of applications pursuant to this section prior to certification.

h. If a community board or borough president fails or waives its right to act within the time limits for review pursuant to subdivisions d or e of this section, the application shall be referred to the city planning commission. If the city planning commission fails to act on an application within the time limit specified in subdivision f of this section, the application shall be deemed to have been denied.

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

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

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

(1) any decision of the city planning commission to approve or approve with modifications a matter described in paragraph three or eight of subdivision a of section one hundred ninety-seven-c, a disposition of residential real property (as defined in this paragraph) pursuant to paragraph ten of subdivision a of section one hundred ninety-seven-c (except for dispositions to companies that have been organized exclusively to develop housing projects for persons of low income), a plan pursuant to section one hundred ninety-seven-a, or a change in the text of the zoning resolution pursuant to sections two hundred or two hundred one, except for a change to such text pursuant to paragraph four of subdivision a of section two hundred. For purposes of this section, residential real property shall mean real property improved by structures, whether or not occupied, built for or converted to a use which is primarily residential, but shall not include property subsequently converted to non-residential use;

(2) any other decision of the city planning commission to approve or approve with modifications a matter described in subdivision a of section one hundred ninety-seven-c, if (i) both an affected community board (after holding a public hearing) and the affected borough president, within the time periods allotted for their reviews pursuant to section one hundred ninety-seven-c,

have recommended in writing against approval and (ii) the affected borough president, within five days of receiving a copy of the decision of the commission, files with the commission and the council a written objection to the decision; and

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

§ 4. Subdivision b of section 197-e of the New York city charter, as added by a vote of the electors at a general election held on November 4, 2025 upon approval of ballot question 2, shall be amended by adding a new paragraph 9 to read as follows:

9. An application that meets the criteria set forth in subdivision b of section one hundred ninety-seven-f.

§ 5. Subdivision g of section 197-e, as added by a vote of the electors at a general election held on November 4, 2025 upon approval of ballot question 3, is amended to read as follows:

g. Not later than thirty days after expiration of time allowed for the filing of a recommendation or waiver with the city planning commission by the affected community board and borough president, the commission shall approve, approve with modifications, or disapprove the application, provided, however, that where the department determines that an application pursuant to section one hundred ninety-seven-f is required by law to include an environmental impact statement, the commission shall approve, approve with modifications, or disapprove such application no later than forty-five days after such expiration of time. Any such approval or

approval with modifications of the commission shall require the affirmative vote of at least seven of the members. The commission shall conduct a public hearing on all applications that are subject to review and approval by the commission pursuant to this section. Prior to taking any action pursuant to this subdivision on a matter involving the siting of a capital project, the sale, lease, exchange or other disposition or acquisition of real property, the city planning commission may obtain a report from the office of management and budget or the department of citywide administrative services, as appropriate. Any action of the city planning commission which modifies or disapproves a written recommendation of a borough president or affected community board shall be accompanied by a written explanation of its reason for such action. Notwithstanding any contrary provision of this chapter, the city planning commission shall not file an application reviewed pursuant to this section with the council, and such and such an application filed pursuant to this section shall not be subject to section one hundred ninety-seven-d, except as set forth in subdivision j of this section.

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

§ 200. Zoning Resolution. a. Except as provided in subdivision b, any existing resolution or regulation of the council, the board of estimate or of the city planning commission to regulate and limit the height and bulk of buildings, to regulate and determine the area of yards, courts and other open spaces, to regulate density of population or to regulate and restrict the locations of trades and industries and location of buildings designed for specific uses or creating districts for any such purpose, including any such regulation which provides that the board of standards and appeals may determine and vary the application of such resolutions or regulations

in harmony with their general purpose and intent and in accordance with general or specific rules contained in such regulations, may be amended, repealed or added to only in the following manner:

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

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

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

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

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

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

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

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

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

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

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

§ 8. Subdivision d of section 215 of the New York city charter, as amended by a vote of electors at a general election held on November 5, 2024, is amended to read as follows:

d. In the preparation of the preliminary ten-year capital strategy, the department of city planning and office of management and budget shall consider: (i) the strategic policy statements of the mayor and the borough presidents pursuant to section seventeen, (ii) relevant citywide, borough and community plans adopted pursuant to section one hundred ninety seven-a, the fair housing plan submitted pursuant to subdivision b of section sixteen-a, and the list of twelve community districts published pursuant to subdivision a of section one hundred ninety-seven-f, (iii) the reports pursuant to section two hundred fifty-seven comparing the most recent ten-year capital strategy with the capital budgets and programs adopted for the current and previous fiscal years, and (iv) the city's capital needs, as informed by the citywide statement of needs and the capital plant inventory required by sections two hundred four and one thousand one hundred ten-a, respectively, including but not limited to city facility and capital plant conditions and deterioration, geographic distribution, impact on agency function or mission, impact on resiliency, and relevant federal or state conditions or requirements.

1 § 9. Subdivisions 9 and 10 of section 666 of the New York city charter, subdivision 9 as
2 amended by local law number 82 for the year 2017, subdivision 10 as redesignated by local law
3 number 49 for the year 1991, are amended to read as follows:

4 9. To afford an equal right to the city planning commission, community boards, and
5 borough boards and lessees and tenants as well as owners to appear before it for the purpose of
6 proposing arguments or submitting evidence in respect of any matter brought before it pursuant to
7 the zoning resolution of the city of New York or section six hundred sixty-six-a. In rendering a
8 final determination on any matter before it in which any such party has proposed relevant
9 arguments or submitted relevant evidence, the board shall refer to such arguments or evidence in

1 its final determination and describe the extent to which the board considered such arguments or
2 evidence in reaching its final determination, to the extent applicable. The board may categorize
3 similar comments together and respond to such categories, provided that each such categorical
4 response indicates the testimony to which it is responding.

5 10. To issue such special permits as the board is authorized to issue under the zoning
6 resolution or actions under section six hundred sixty-six-a.

7 § 10. Chapter 27 of the New York city charter is amended by adding a new section 666-a
8 to read as follows:

9 § 666-a. Fast-track action for affordable housing projects. a. In accordance with this
10 section, the board may modify the application or interpretation of any use, bulk, or parking
11 regulation of the zoning resolution to a building to be developed, preserved, or converted, in whole
12 or in part for affordable housing, as such term is defined in subdivision a of section sixteen-a,
13 provided that the board makes the following findings:

14 1. The building is or will be owned, in whole or in part, by a company that has been
15 organized exclusively to develop housing projects for persons of low income;

16 2. The building is wholly located in a zoning district that allows residential uses;

17 3. As determined in consultation with the commissioner of housing preservation and
18 development, the building is consistent with applicable affordable housing design and
19 development standards established by such commissioner and could not be developed, preserved
20 or converted without modifying the application of any use, bulk, or parking regulations;

21 4. The building will not alter the essential character of the neighborhood; and

1 5. Under the conditions and safeguards imposed, the hazards or disadvantages to the
2 community at large of such modifications at the particular site are outweighed by the advantages
3 to be derived by the community and city from the grant of such modifications.

4 b. The decision of the board shall set forth each required finding in each specific approval
5 of an action authorized pursuant to this section or which of the required findings have not been
6 satisfied in each denial of such an action. Such decision shall, for any approval of an action
7 pursuant to this section, set forth the evidence or other data supporting each finding by the board
8 in reaching such decision. Reports of other city agencies made as a result of inquiry by the board
9 may be considered by the board.

10 c. In granting a modification pursuant to this section, the board may prescribe such
11 conditions or restrictions as it may deem necessary to minimize any adverse effects of such
12 modifications on other property in the neighborhood and to ensure such affordable housing that is
13 developed, preserved or converted is consistent with applicable design and development standards.
14 Such conditions or restrictions shall be incorporated in the building permit and certificate of
15 occupancy. Failure to comply with such conditions or restrictions shall constitute a violation of
16 such permit or certificate of occupancy and may constitute the basis for denial or revocation of a
17 building permit or certificate of occupancy and for all other applicable remedies.

18 § 11. Section 668 of the New York city charter is amended by adding a new subdivision d-
19 1 to read as follows:

20 d-1. Notwithstanding any provision in subdivision d of this section to the contrary, for
21 applications filed pursuant to section six hundred sixty-six-a, the board of standards and appeals
22 shall conduct the public hearing required pursuant to subdivision d of this section no later than

1 thirty days after the expiration of the time allowed for the filing of a recommendation or waiver
2 with the board by the affected community board or borough board, and the board shall give public
3 notice not less than five days in advance of such hearing. The board shall take final action on the
4 application no later than thirty days after the expiration of time allowed for such hearing, provided
5 that where the board determines that an application does not satisfy the required findings, it may
6 hold a second hearing and take final action on such application within sixty days of such
7 determination.

8 § 12. Subdivision e of section 668 of the New York city charter, as redesignated by local
9 law 103 for the year 2017, is amended to read as follows:

10 e. Copies of a decision of the board of standards and appeals and copies of any
11 recommendation of the affected community board or borough board shall be filed with the city
12 planning commission and, for applications filed pursuant to section six-hundred sixty-six-a, with
13 the commissioner of housing preservation and development. Copies of the decision shall also be
14 filed with the affected community or borough boards.

15 § 13. Subdivision h of section 668 of the New York city charter, as redesignated by local
16 law 103 for the year 2017, is amended to read as follows:

17 h. The city planning commission shall be a party to any proceeding to determine and vary
18 the application of the zoning. The commissioner of housing preservation and development shall
19 also be a party to proceeding to modify the zoning resolution pursuant to section six hundred sixty-
20 six-a. The commission may appear and be heard on any application pursuant to this section before
21 the board of standards and appeals if, in the judgment of the city planning commission, the granting
22 of relief requested in such application would violate the requirements of the zoning resolution

1 relating to the granting of variances. The commission and commissioner of housing preservation
2 and development, as applicable, shall have standing to challenge the granting or denial of a
3 variance or modification pursuant to section six hundred sixty-six-a in a proceeding brought
4 pursuant to article seventy-eight of the civil practice law and rules, or in any similar proceeding.

5 § 14. Section 1152 of the New York city charter is amended by adding paragraphs 1, 2 and
6 3 to a new subdivision p to read as follows:

7 p. (1) The amendments to the charter adding sections 197-e, 197-f, 666-a and subdivision
8 d-1 of section 668, and amending subdivision b of section 197-d, sections 200 and 201, subdivision
9 d of section 215, subdivisions 9 and 10 of section 666, and subdivisions e and h of section 668, as
10 approved by the electors on November 4, 2025, shall take effect immediately upon certification
11 that the electors have approved such amendments to the charter.

12 § 15. Section 1152 of the New York city charter is amended by adding paragraphs 1, 2 and
13 3 to a new subdivision p to read as follows:

14 p. (1) The amendments to the charter adding sections 197-f, 666-a and subdivision d-1 of
15 section 668, and amending subdivisions b and g of section 197-e, subdivision d of section 215,
16 subdivisions 9 and 10 of section 666, and subdivisions e and h of section 668, as approved by the
17 electors on November 4, 2025, shall take effect immediately upon certification that the electors
18 have approved such amendments to the charter.