

Appendix B

Abstracts

Ballot Question 2

Proposed Charter Amendment: Fast Track Affordable Housing to Build More Affordable Housing Across the City

Abstract

This proposal would create two new fast-track public processes for affordable housing: the Board of Standards and Appeals (BSA) Zoning Action for Affordable Housing Projects and the Affordable Housing Fast Track.

First, the proposal would enable publicly financed affordable housing to be approved by the BSA after review by the affected Community Board. BSA would be required to make findings relating to neighborhood character and programmatic necessity.

Second, the amendment would establish an expedited land use review process – with review by the affected Community Board, affected Borough President, and the City Planning Commission – for zoning changes that deliver affordable housing in the 12 community districts with the lowest rate of affordable housing production.

BSA Zoning Action for Affordable Housing Projects

How it works: Currently, the BSA has the power to waive zoning requirements to facilitate certain affordable housing developments, but that authority is limited to projects that can meet stringent standards relating to hardship, uniqueness, and economic infeasibility. Projects that cannot meet these standards instead must go through the Uniform Land Use Review Procedure (ULURP) – a seven-month review process that begins with advisory opinions from the affected Community Board and Borough President, followed by review and votes at the City Planning Commission and City Council.

This proposal would empower the BSA to issue project-specific approvals for publicly financed affordable housing that meet the required findings after a 60-day review by the affected Community Board and a 30-day review with a public hearing held by the BSA. Projects that do not meet the findings may receive one 60-day extension for additional studies or project modifications to seek approval at a second hearing.

What types of housing are eligible: This new action would be available to companies organized exclusively to develop housing projects for persons of low

income, including Housing Development Fund Companies – the legal vehicle for virtually all publicly financed affordable housing projects in New York City.

What factors must the Board of Standards and Appeals consider: In order to approve affordable housing pursuant to the fast-track process, the BSA would be required to make findings related to neighborhood character and programmatic necessity. The first finding ensures the project does not clash with the surrounding neighborhood character. The second finding establishes that a project requires zoning waivers in order to proceed and that the City or another governmental entity intends to provide financial backing.

Affordable Housing Fast-Track

How it works: Currently, affordable housing is produced unevenly throughout the City, with 12 community districts adding as much housing as the other 47 combined over the course of the last 10 years. To address this, the Affordable Housing Fast Track proposal creates an expedited approval process for projects that deliver affordable housing in the community districts that produce the least affordable housing. Under the proposal, the City would assess the rate of affordable housing production in each community district every five years, and then fast-track projects that include permanently affordable housing in the 12 Community Districts with the lowest such rates.

These 12 Community Districts would be calculated by measuring the total number of affordable dwelling units created over the past five years divided by the total number of all dwelling units at the start of the five-year period. This formula measures the growth rate of affordable housing. Those twelve community districts would be determined by the Department of City Planning every five years.

What types of applications are eligible: To be eligible for this fast-track procedure, an application must include permanent affordable housing under the City's Mandatory Inclusionary Housing program and must be located in one of the twelve community districts with the lowest rate of affordable housing production. The Department of City Planning would be required to confirm that a primary purpose of the application is to facilitate additional housing and affordable housing.

What is the new process for reviewing these affordable housing rezoning applications:

Today, rezoning applications typically go through ULURP – a seven-month review process that begins with successive advisory opinions from the affected Community Board and Borough President, followed by review and votes at the City Planning Commission and City Council.

The proposed amendment would include the same opportunity for Community Board review as exists today, but with Borough President review occurring concurrently. The City Planning Commission would have 30 days to review – or 45 days for applications that require more extensive environmental review – and hold a final vote. (This element of the proposal would become effective if this ballot question is approved, regardless of whether ballot question 3, which also proposes an expedited land use review procedure, is approved.)

In determining whether to approve such a rezoning application, the City Planning Commission would be required to make findings regarding the adequacy of existing transportation, sewer and other infrastructure, as well as consistency with the City's fair housing plan (the Charter already requires the City to develop such a plan to analyze citywide data relating to fair housing).

The proposal would also require the Department of City Planning and the Office of Management and Budget to consider the list of the 12 Community Districts that produce the least affordable housing and the fair housing plan in the preparation of the City's preliminary 10-year capital strategy.

Implementation: This proposed amendment would take effect immediately.

Ballot Question 3

Proposed Charter Amendment: Simplify Review of Modest Housing and Infrastructure Projects

Abstract

This proposal would create an Expedited Land Use Review Procedure (ELURP) for certain land use changes and projects, including modest increases in housing capacity; acquisitions, dispositions, and certain City Map changes related to affordable housing; and infrastructure and resiliency projects, like raising the grade of a street and adding solar panels on public property.

How it works: Currently, rezoning applications and other land use actions, regardless of size, must go through the City's Uniform Land Use Review Procedure (ULURP) – a seven-month review process that begins with advisory opinions from the affected Community Board and Borough President, followed by review and votes at the City Planning Commission and City Council.

This proposal would create an alternative procedure for certain rezoning applications and other land-use actions. This new process would retain the same 60-day review period for the Community Boards and a public hearing, with concurrent Borough President review. The City Planning Commission would then have 30 days to hold a public hearing and vote on the application. The City Planning Commission's decision would be final, with no subsequent review by the City Council.

For dispositions of City property to Housing Development Fund Companies – the entity for virtually all publicly financed affordable housing projects in New York City – final approval would be made by the City Council instead of the City Planning Commission.

What types of projects are eligible for this expedited procedure? This expedited review procedure is reserved for specifically enumerated applications. These generally include applications relating to modest zoning changes for housing (rezoning to districts with a standard height of not more than 45 feet in lower-density areas and increases in housing capacity up to 30% in medium- and high-density areas); dispositions, acquisitions, and certain City Map changes for affordable housing; acquisitions and site selections for resiliency projects and open

space; sale of City property that is undevelopable and unusable; acquisitions for voluntary flood buyouts; and leases for solar energy on public land.

Only projects that categorically lack potential significant adverse environmental impacts on communities are eligible for the expedited procedure described in this ballot question. If a project by its size or nature requires an environmental impact statement under state and local law, it will remain subject to the Uniform Land Use Review Procedure in order to receive a more extensive public and environmental review.

Implementation: This proposed amendment would take effect immediately. However, it would not apply to applications that have been filed with the Department of City Planning pursuant to the Uniform Land Use Review Procedure and certified as complete before the effective date.

Ballot Question 4

Proposed Charter Amendment: Establish an Affordable Housing Appeals Board with Council, Borough, and Citywide Representation

Abstract

This proposal would create an Affordable Housing Appeals Board, consisting of the affected Borough President, the Speaker of the City Council, and the Mayor. This new Appeals Board would have the power to review and reverse decisions by the City Council that disapprove or modify land-use applications that directly facilitate the creation of affordable housing. The Appeals Board would replace the existing Mayoral veto, and the Council override of that veto, for these types of land-use applications.

This new Appeals Board aims to strike a balance between local, boroughwide and citywide perspectives on the production of affordable housing. It does so by empowering the Speaker, affected Borough President and Mayor to review and reverse City Council decisions on land use matters affecting the development of affordable housing — but only if two out of the three members agree.

How it works: Currently, certain land use actions, including rezoning applications, special permits, and others, must go through the City’s Uniform Land Use Review Procedure (ULURP) – a seven-month process that begins with advisory opinions from the affected Community Board and Borough President, followed by review and votes at the City Planning Commission and City Council. The Mayor may veto the Council’s action, and that veto is subject to an override by the Council.

Under the proposal, the Affordable Housing Appeals Board would have the power to review and reverse actions of the City Council that disapprove or modify applications that directly facilitate the development of affordable housing. While much of ULURP – from the community board through City Council – would remain unchanged, the Appeals Board would be empowered to conduct a final review of these land-use applications. Land-use applications that do not relate to the development of affordable housing are not subject to the Appeals Board.

The Appeals Board would consist of three members: the Speaker of the Council, the affected Borough President, and the Mayor (or a designee of each member). If at least two of the three members agree, the Board would be empowered to reverse

a Council disapproval or modification of a land-use application that would directly facilitate the development of additional affordable housing.

Which land-use actions would be subject to the Affordable Housing Appeals Board? The Affordable Housing Appeals Board would come into play only for ULURP applications and zoning text amendments that would directly facilitate the creation of affordable housing. These include rezoning applications that are required to deliver affordable housing under the City’s Mandatory Inclusionary Housing program, as well as related actions that directly facilitate the creation of affordable housing, such as parking special permits that reduce or remove off-street parking requirements that can hinder the development of affordable housing. In addition, the Appeals Board may review only applications where the land included in the application is located in a single borough. Changes not affecting affordable housing or affecting more than one borough, including citywide changes, would continue to receive the same review as they do today.

When could the Affordable Housing Appeals Board act? Only applications that facilitate the creation of affordable housing that are disapproved or approved with modifications are eligible for review by the Affordable Housing Appeals Board. If an application is approved by the Council absent modifications, the Board would lack jurisdiction to review an application. In addition, no land use action would automatically go to the Appeals Board. Instead, an applicant must either appeal the Council’s decision or the Appeals Board can “call up” – or request review of – an application. The Appeals Board would be empowered to approve an application or reverse one or more of the modifications made by the Council only with the agreement of at least two of the three members.

Implementation: The proposed Charter amendments establishing the Affordable Housing Appeals Board would take effect immediately.

Ballot Question 5

Proposed Charter Amendment: Create a Digital City Map to Modernize City Operations

Abstract

This proposal would require the City to consolidate and digitize the City Map. Currently, the Charter assigns administration of the City Map, which consists of many separate paper maps, to five separate Borough President Topographical Bureaus. This proposal would replace the existing, decentralized paper City Map with a single City Map administered by the Department of City Planning (DCP) and would also provide for the digitization of the City Map. Under the proposal, DCP would also assume responsibility for address assignment.

What is the City Map: The City Map establishes the legally defined locations of street lines, widths, names, and legal grades, as well as the locations of mapped parkland and public places. Today, the City Map consists of five different sets, one for each borough, totaling over 8,000 individual paper maps. Certain housing, infrastructure, and other projects require confirmation of public jurisdiction as represented on the City Map before they can move forward, a process that can take months or years when it relies on paper maps.

How it works: The proposal would centralize administration of the City Map at DCP and mandate a single City Map that covers the entire City, rather than paper maps limited to each borough. The proposal would also require the City Map to be digitized. It would also centralize administration of address assignment with the Department of City Planning, instead of leaving address assignment to the five Borough President Topographical Bureaus.

Implementation: The transfer of address assignment from the Borough President Topographical Bureaus to the Department of City Planning would take effect on January 1, 2027.

The City Map would be consolidated into one single document by January 1, 2028, or a later feasible date to be determined by the City Planning Commission.

The City Map would be digitized by January 1, 2029, or a later feasible date to be determined by the Department of City Planning.

Ballot Question 6

Proposed Charter Amendment: Move Local Elections to Presidential Election Years to Increase Voter Participation

Abstract

This proposal would make changes to the timing of elections held for the offices of Mayor, Public Advocate, Comptroller, Borough President, and City Council Members to move the City's primary and general election dates to even-numbered years, upon a required change to State law.

How it works: Currently, elections for City office are held in odd-numbered years. This proposal would provide for even-year elections that coincide with the federal presidential elections. A Charter amendment is required to move the election calendar to even years and to provide for a one-time transition in which elected officials would serve a term of three years (as opposed to the usual four years). A change to the State Constitution, which requires that all city officers be elected in odd-numbered years, is also necessary before New York City may shift its local elections to even years. If the necessary changes to state law occur, elections for City office would occur in the same year as the federal presidential elections.

One-time transition from odd-year to even-year elections: A shift to even-year elections on the presidential cycle would, when it goes into effect, require a one-time transition in which elected officials would serve a term of three years, instead of the typical four years. The timing of this one-time transition cycle would depend on whether and when a State law is enacted to permit New York City to move its elections to even years.

Councilmember two-year terms: Currently, the Charter provides for a shortened two-year term every 20 years for City Councilmembers in order to coordinate City Council terms after a redistricting, which is required after every decennial census. As a result, every two decades, the City holds elections for City Council but not for citywide or boroughwide elected officials. Under the proposed system, these periodic two-year terms would be eliminated, so that Councilmembers serve only four-year terms. As a consequence, there will sometimes be a longer delay in the use of new district lines following a redistricting than there is today, but this change ensures that elections for City Council occur during cycles with the higher

turnout that is expected to be associated with elections held in even-numbered years.

If a State law authorizing the City to hold elections for City office in even-numbered years takes effect during a two-year term, that term would be either shortened to one year or extended to three years, depending on the precise timing of the State law. This one-time transition would enable the switch to holding elections for City office in even-numbered years.

Implementation: This proposal would take effect upon the effective date of a State law authorizing the City to hold elections for City office to occur in even-numbered years.