

Frequently Asked Questions: 2025 Charter Revision Commission Ballot Proposals

This November, New York City voters will have the chance to vote on five reforms to the New York City Charter – the city’s “Constitution.” Four of the proposals are intended to tackle the city’s housing crisis by helping to build more housing faster, especially affordable housing. Another proposal is intended to increase turnout in local elections by moving local elections to presidential election years, when more people vote. These five proposals will appear on New Yorkers’ ballots as Questions 2 through 6 (a separate amendment to the state constitution will be Question 1). For even more detailed information about the proposals, read [the Commission’s final report](#).

Affordability

What does “affordable” mean for apartments included in the Charter proposals?

Housing is considered “affordable” when a family spends 30% or less of their income to live there. Various government programs create affordable housing that is “income restricted” – that is, reserved for families that earn below a certain income level.

Both Question 2 (“Fast Track Affordable Housing to Build More Affordable Housing Across the City”) and Question 4 (“Establish an Affordable Housing Appeals Board with Council, Borough, and Citywide Representation”) create new processes for projects that create income-restricted rental and homeownership opportunities affordable to families at lower incomes.

These questions would most frequently apply to applications that include Mandatory Inclusionary Housing (“MIH”), or more and/or deeper levels of affordability. MIH requires all new housing development to include a 20 to 30 percent set-aside for permanently affordable housing at a range of incomes, generally between 40 and 80 percent of the Area Median Income (“AMI”). (AMI is the figure calculated by HUD to determine eligibility for affordable housing.) In concrete terms, 40 percent AMI for a family of three translates to a rent of about \$1,450 for a 2-bedroom apartment, and 80% AMI translates to a rent of about \$2,900 for that family.

Question 2 also includes a Fast Track Zoning Action before the Board of Standards and Appeals (“BSA”). This process is only available for publicly financed affordable housing projects. Question 4 could also apply to some land use actions that facilitate these affordable housing projects as well. These developments are generally 100% affordable and reach families at the lowest incomes, including housing for the formerly homeless. The goal of this new process is to enable public subsidy to create more affordable housing.

How long are apartments affordable?

Affordable homes developed under the Mandatory Inclusionary Housing program described above are permanently affordable.

Homes developed via the Fast Track Zoning Action before the BSA would remain affordable for the length of their regulatory

agreement (or any successor agreement). For affordable housing not permanently affordable under MIH or other zoning programs, City agreements generally run for a minimum of 40 to 60 years and agreements are structured to strongly encourage extensions of affordability after an initial 40- to 60-year term is finished.

Will any of the ballot proposals create new affordable homeownership opportunities?

Yes. All new Charter mechanisms would create opportunities for both income-restricted rental housing and income-restricted homeownership opportunities. The Fast Track Zoning Action (Question 2) before the BSA is designed to work with existing HPD programs, including HPD’s Open Door Program, which provides funding for 100% affordable homeownership developments. Similarly, all applications for the Affordable Housing Fast Track (Question 2) are subject to the Mandatory Inclusionary Housing program, which also provides opportunities for affordable homeownership.

Will ELURP rezonings trigger MIH?

Virtually all ELURP (Question 3) rezonings in medium- and high-density districts will under existing policy trigger MIH, including each example in this table excerpted from the Commission’s final report:

Existing District (Floor Area Ratio)	Proposed District (Floor Area Ratio)	Percent Increase in Residential Capacity
R6B (2.4 FAR)	R6D (3 FAR)	25%
R6D (3 FAR)	R6A (3.9 FAR)	30%
R6A (3.9 FAR)	R7A (5.01 FAR)	28.5%
R7A (5.01 FAR)	R7D (5.6 FAR)	11.8%
R7A (5.01 FAR)	R7X (6 FAR)	19.8%
R8A (7.2 FAR)	R9A (9.02 FAR)	25%
R10 (12 FAR)	R11 (15 FAR)	20%

Out of dozens of possible zoning changes, CRC staff were only able to identify two possible zoning changes in medium- and high-density districts that would be eligible for ELURP and that would not trigger MIH under existing policy. These increases are so small (less than a 10% increase in FAR) that it is unlikely any applicants would seek them.

Does Question 4 (“Affordable Housing Appeals Board”) only relate to actions involving affordable housing?

Yes. The power of the Appeals Board is limited to only actions that would create additional affordable housing, such as a rezoning application subject to the Mandatory Inclusionary Housing program. Actions may be small, such as an action relating to a single affordable housing development, or large, such as a neighborhood rezoning subject to MIH. But all actions subject to the Board must directly facilitate affordable housing. Other kinds of discrete land use actions, such as the siting of a new City-owned facility or the creation of a hotel, are inherently non-residential and would remain subject to ULURP as it exists today.

Neighborhood Investments and Infrastructure

How would these proposals ensure a community is able to support new housing?

The ballot proposals include changes to the City’s capital planning process (which determines how the City allocates money for investment in new schools, parks, and infrastructure) to facilitate the planning of new investment in parts of the city that need to produce more affordable housing as determined by the City Council’s Fair Housing Framework.

In addition, for projects subject to the Affordable Housing Fast Track (Question 2), the City Planning Commission would have to explicitly make a finding about the adequacy of existing transportation, sewer, and other infrastructure to support new housing.

Won’t this overburden low-density districts that don’t have the infrastructure to support new housing?

No, the Charter proposals do not themselves allow any housing to be built. Instead, they change the process through which a zoning change may be made. Such zoning changes still have additional requirements beyond the Charter, such as environmental reviews to confirm that there is adequate infrastructure to support new housing.

In addition, for projects subject to the Affordable Housing Fast Track (Question 2), the City Planning Commission would have to explicitly make a finding about the adequacy of existing transportation, sewer, and other infrastructure to support new housing.

How would these proposals affect gentrification?

The current housing shortage fuels gentrification, as people with money travel to neighborhoods with more affordable housing in search of homes they can afford.

Today’s status quo and existing zoning and land use review procedure has resulted in a vastly inequitable development landscape, with some neighborhoods (typically gentrifying neighborhoods) adding thousands of apartments per year while

others add virtually zero. In 2024, for instance, 10 Community Districts produced as much housing as the other 49 combined.

The Charter reform proposals aim to enable more housing in more places than is possible under the current system, alleviating development pressure in neighborhoods that already add a lot of housing today.

How would these proposals affect negotiations with developers?

The vast majority of land use changes would remain unchanged.

If approved, the Affordable Housing Fast Track (Question 2) would change the land use process in the 12 community districts that build the least affordable housing, so that applications end with the City Planning Commission rather than the City Council. These are parts of the city where affordable housing is virtually never proposed, and so there are virtually never negotiations over additional community benefits.

If approved, Question 4 would create a new three-member Affordable Housing Appeals Board with the power to reverse City Council rejections or modifications of affordable housing proposals, if at least two of the three members agree. In practice, if the City Council negotiates changes to a rezoning with a developer, those modifications can only be altered if two out of the three members of the Appeals Board (the Speaker, local Borough President, or Mayor) agree. Because all three members of the Appeals Board are democratically accountable elected officials who go through the land use process on a repeat basis, the Appeals Board is likelier to be used in the case of “bad faith” rejections of affordable housing, not to reverse well-meaning modifications.

Could rezonings still include community benefits?

Yes. Today, developers sometimes commit to changes beyond what is required by zoning – for example, more family-sized apartments or space for a local nonprofit.

If approved, the Affordable Housing Appeals Board (Question 4) would only have the authority to reverse land use modifications or denials that are subject to ULURP. Community benefit commitments outside of zoning, like unit size mix or community space, are outside the jurisdiction of the Appeals Board because they are not formally subject to ULURP.

Would Community Boards lose power?

Community Boards’ role would remain unchanged. Today, Community Boards offer their advisory recommendations on land use proposals that go through ULURP, which then informs the decisions made by the City Planning Commission and City Council. Under each of these Charter proposals, Community Boards would still offer their recommendations, which would then inform the relevant decision-makers, whether that remains the City Council or shifts to the Board of Standards and Appeals, City Planning Commission, or the Affordable Housing Appeals Board.

Public, Environmental, and Historic Preservation Review

Are environmental review or historic preservation procedures changed by these proposals?

No, all applications are still subject to state and local environmental review requirements, which remain unchanged. Both state and local historic preservation requirements are also unchanged by the proposed amendment.

Are community board review or other opportunities for public input shortened by these proposals?

None of these proposals would eliminate public review and none of these proposals would reduce Community Board review at all.

All proposals would maintain processes with multiple public hearings before Community Boards, the Board of Standards and Appeals, and the City Planning Commission.

Questions 2 and 3 would eliminate City Council review for certain projects, including the public hearing before the City Council.

Do Community Boards still get more time for review in the summer?

Yes. The Charter reforms made in 2019, giving Community Boards additional time during the summer to consider ULURP applications, would continue.

Why not shorten Community Board timelines?

Community Boards play a central role in the City's land use review process and it is appropriate that they retain a full 60 days to weigh in. This is especially the case given that many Community Boards use the first month for a committee hearing before considering the application at a full board meeting the following month.

Can an application that requires an Environmental Impact Statement (EIS) go through ELURP (Question 3)?

No. Full environmental impact statements (EIS) are required for projects that may have potentially "significant adverse impacts" on the environment. These will be categorically excluded from the ELURP process described in Question 3 and will remain subject to the same land use review—generally ULURP—that applies today.

Geography

In what parts of the city will these affordable housing processes apply?

The ballot proposals create a number of different processes

to support affordable housing. Questions 3 ("Simplify Review of Modest Housing and Infrastructure Projects") and 4 ("Establish an Affordable Housing Appeals Board with Council, Borough, and Citywide Representation") would apply citywide. Question 2 includes two separate Affordable Housing Fast Tracks. The Fast Track Zoning Action for City-sponsored affordable housing would apply citywide.

A separate fast-track process in Question 2 would speed the approval of affordable housing in the New York City neighborhoods that build the least affordable housing. It would apply only to the 12 community districts (roughly the bottom fifth) that build the least affordable housing. No district would be subject to the Affordable Housing Fast Track until 2027. It is too early to say which 12 districts will have the lowest rate of affordable housing production at that time due to recent changes in zoning and tax policy.

Does Question 3 "ELURP" distinguish between low-density neighborhoods and medium- and high-density neighborhoods?

Yes, Question 3 ("Simplify Review of Modest Housing and Infrastructure Projects") creates a new process called the Expedited Land Use Review Procedure ("ELURP") which would apply differently in low-density neighborhoods and medium- and high-density neighborhoods. In low-density neighborhoods, ELURP could only be used for zoning districts up to a maximum standard height of 45 feet and a maximum standard FAR ("floor area ratio") of 2. In medium- and high-density neighborhoods, ELURP could only be used for zoning districts that increase housing capacity by 30% or less.

Housing Research

How does new construction impact rents?

The evidence from other cities, from Minneapolis to Austin, Seattle, and beyond, is that increasing the supply of housing lowers housing costs.

There is a clear consensus on that among people who study housing costs, and it makes sense: when landlords compete to attract tenants, rather than tenants competing with each other for homes, they are more likely to drop their rents.

These Charter proposals have a goal of easing the process to construct more housing, including affordable housing, in an effort to make it easier to build more housing across the City. In the case of mixed-income developments with both "market rate" and affordable housing, even the market rate portions of those developments have been shown to have a positive impact on housing costs.

Recent research is available [here](#), [here](#), and [here](#).

Why do we need more housing if New York is losing population?

New York experienced some population loss during the height of the pandemic, but these trends have since reversed. New York City gained population in both 2023 and 2024, according to the U.S. Census Bureau.

Additionally, post-pandemic, more people are working from home and want larger apartments, putting even more pressure on the existing housing stock. This means that we would need more homes even if the population weren't increasing.

Finally, one of the main reasons that people choose to leave New York City is high housing costs – a problem that can only be fixed by adding more homes.

These Charter proposals will make it easier to create more housing and housing options to support a more affordable city.

Climate and Resilience

What does resiliency mean, for the purposes of ELURP?

Question 3 (“Simplify Review of Modest Housing and Infrastructure Projects”) creates a new Expedited Land Use Review Procedure for resiliency projects.

In this context, resiliency projects are those that enhance the city's ability to prepare for, withstand, and recover from extreme weather events. These include stormwater drainage infrastructure and other stormwater flood management solutions, coastal flood protection measures that mitigate impacts from chronic tidal inundation and storm surge events, nature-based solutions like wetland protection and expansion, and heat mitigation measures like increased tree canopy and shade cover, vegetated surface area, and other cooling interventions.

Dispositions for standalone Battery Energy Storage Systems (“BESS”) could not be approved through ELURP.

What kind of open space projects are eligible for ELURP?

Open space projects are those that create new public open space on City-owned property and certain adjacent acquired property—including projects that incorporate resiliency, heat mitigation, and flood protection benefits maintained by the NYC Department of Environmental Protection, parks under the jurisdiction of the NYC Department of Parks and Recreation, and other open space managed by City agencies.

Won't new development on green space just mean that flooding will get worse?

No, nothing in the ELURP climate and resiliency proposals would allow new development on parkland.

Even-Year Elections

Will holding local elections at the same time as federal elections divert attention from local issues?

There has been a dramatic decrease in voter participation in local elections in recent decades – from over 80 percent in the early 1970s to below 25 percent in the 2021 mayoral race. Based on evidence from jurisdictions across the country, moving local elections to even years could double turnout. This means a far greater share of New Yorkers will consider and take a position on local issues than we see under the current system.

Additionally, although this year's local elections are occurring at a time when there is no federal election on the ballot, federal politics continues to receive significant local attention and candidates for local office frequently discuss federal issues. In other words, holding a low turnout election in an odd year is no guarantee that voters will focus on local issues.

How will longer ballots affect voter behavior?

While voter “roll off” is a documented phenomenon, evidence suggests that it is not significant when compared to the overall increase in participation that comes with moving to even-year elections. Studies of other cities have shown that the “loss” of votes on down ballot races is quite modest compared to the increase in participation experienced from aligning local elections with even years.

How would the transition from odd to even-year elections work?

Under the Commission's proposal, a shift to even-year elections on the presidential cycle will, when it goes into effect, require a one-time transition in which elected officials would serve a term of three years (as opposed to the existing four). The shortened three-year term would not be treated as a full term for purposes of term limits. This is consistent with the Charter's current treatment of non-full terms for the purposes of term limits.

Will elections with both “first-past-the-post” voting and ranked choice voting confuse voters?

New York City voters already vote in elections that have both RCV and non-RCV elections. Elections for district attorneys, judges, and party positions appear on odd-year ballots alongside ranked-choice elections for municipal offices, for example.