STATE OF NEW YORK

8642--B

IN SENATE

January 7, 2026

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the town law, the village law and the general city law, in relation to enacting the "planning approval predictability act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "planning approval predictability act".

§ 2. Subdivisions 2 and 5 of section 274-a of the town law, subdivision 2 as added by chapter 694 of the laws of 1992 and subdivision 5 as amended by chapter 486 of the laws of 1994, are amended to read as follows:

2. Approval of site plans. (a) The town board may, as part of a zoning ordinance or local law adopted pursuant to this article or other enabling law, authorize the planning board or such other administrative body that it shall so designate, to review and approve, approve with modifications or disapprove site plans prepared to specifications set forth in the ordinance or local law and/or in regulations of such authorized board. Site plans shall show the arrangement, layout and design of the proposed use of the land on said plan **as designated by the form provided pursuant to paragraph (c) of this subdivision**. The ordinance or local law shall specify the land uses that require site plan and the elements to be included on plans submitted for approval. The required site plan elements which are included in the zoning ordinance or local law may include, where appropriate, those related to parking, means of access, screening, signs, landscaping, architectural features, location and dimensions of buildings, adjacent land uses and physical features meant to protect adjacent land uses as well as any additional elements specified by the town board in such zoning ordinance or local law.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(b) When an authorization to approve site plans is granted by the town board pursuant to this section, the terms thereof may condition the issuance of a building permit upon such approval.

(c) (i) A planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph (a) of this subdivision shall develop and make available an application form to be filled out for submission of such site plans. Such form shall include a complete list of all studies, reports, documents, and technical standards required for a complete application. The reviewing authority has the ability to either deem the form complete or incomplete within thirty days of submission. Such form shall be published in a manner easily accessible to the public.

(ii) No planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph (a) of this subdivision shall require any additional studies, reports, or documents to be submitted as part of an application for site plan review beyond what is required by the form developed pursuant to subparagraph (i) of this paragraph, except where:

(1) the applicant's submission does not otherwise comply with the standards set forth in such form; or

(2) the scope or scale of the project materially changes after submission of such form as determined by the planning board or other administrative body.

(iii) A planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph (a) of this subdivision may update the form developed pursuant to subparagraph (i) of this paragraph from time to time. Any such updates shall be reported to applicants that have open or pending applications for site review within ten days of any such changes. Amendments by such applicants shall be accepted to maintain compliance with such updated form.

(iv) Within thirty days after the submission of a site plan application that has been deemed complete by the reviewing authority pursuant to this paragraph, the planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph (a) of this subdivision shall notify the applicant in writing whether their application is complete. If no such notice is provided within such thirty-day period, the application shall be deemed complete for all purposes of this section. An actual determination of completeness, or a constructive determination of completeness under this paragraph, shall not be construed as an approval of the site plan, but shall commence the period for substantive review and decision on such application as otherwise provided by law.

5. Waiver of requirements. The town board may further empower the authorized board to, when reasonable, waive any requirements for the approval, approval with modifications or disapproval of site plans submitted for approval, provided, however, that the requirements under paragraph (c) of subdivision two of this section shall not be waived. Any such waiver, which shall be subject to appropriate conditions set forth in the ordinance or local law adopted pursuant to this section, may be exercised in the event any such requirements are found not to be requisite in the interest of the public health, safety or general welfare or inappropriate to a particular site plan.

§ 3. Subdivisions 2 and 5 of section 7-725-a of the village law, subdivision 2 as added by chapter 694 of the laws of 1992, paragraph (a) of subdivision 2 as amended by chapter 423 of the laws of 1995, and subdivision 5 as amended by chapter 486 of the laws of 1994, are amended to read as follows:

2. Approval of site plans. (a) The village board of trustees may, as part of a local law adopted pursuant to this article or other enabling law, authorize the planning board or such other administrative body that it shall so designate, to review and approve, approve with modifications or disapprove site plans, prepared to specifications set forth in the local law and/or in regulations of such authorized board. Site plans shall show the arrangement, layout and design of the proposed use of the land on said plan **as designated by the form provided pursuant to paragraph (c) of this subdivision**. The local law shall specify the land uses that require site plan approval and the elements to be included on plans submitted for approval. The required site plan elements which are included in the local law may include, where appropriate, those related to parking, means of access, screening, signs, landscaping, architectural features, location and dimensions of buildings, adjacent land uses and physical features meant to protect adjacent land uses as well as any additional elements specified by the village board of trustees in such local law.

(b) When an authorization to approve site plans is granted by the village board of trustees pursuant to this section, the terms thereof may condition the issuance of a building permit upon such approval.

(c) (i) A planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph (a) of this subdivision shall develop and make available an application form to be filled out for submission of such site plans. Such form shall include a complete list of all studies, reports, documents, and technical standards required for a complete application. The reviewing authority has the ability to either deem the form complete or incomplete within thirty days of submission. Such form shall be published in a manner easily accessible to the public.

(ii) No planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph (a) of this subdivision shall require any additional studies, reports, or documents to be submitted as part of an application for site plan review beyond what is required by the form developed pursuant to subparagraph (i) of this paragraph, except where:

(1) the applicant's submission does not otherwise comply with the standards set forth in such form; or

(2) the scope or scale of the project materially changes after submission of such form form as determined by the planning board or other administrative body.

(iii) A planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph (a) of this subdivision may update the form developed pursuant to subparagraph (i) of this paragraph from time to time. Any such updates shall be reported to applicants that have open or pending applications for site review within ten days of any such changes. Amendments by such applicants shall be accepted to maintain compliance with such updated form.

(iv) Within thirty days after the submission of a site plan application that has been deemed complete by the reviewing authority, pursuant

to this paragraph, the planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph (a) of this subdivision shall notify the applicant in writing whether their application is complete. If no such notice is provided within such thirty-day period, the application shall be deemed complete for all purposes of this section. An actual determination of completeness, or a constructive determination of completeness under this paragraph, shall not be construed as an approval of the site plan, but shall commence the period for substantive review and decision on such application as otherwise provided by law.

5. Waiver of requirements. The village board of trustees may further empower the authorized board to, when reasonable, waive any requirements for the approval, approval with modifications or disapproval of site plans submitted for approval, provided, however, that the requirements under paragraph (c) of subdivision two of this section shall not be waived. Any such waiver, which shall be subject to appropriate conditions set forth in the local law adopted pursuant to this section, may be exercised in the event any such requirements are found not to be requisite in the interest of the public health, safety or general welfare or inappropriate to a particular site plan.

§ 4. Subdivisions 2 and 5 of section 27-a of the general city law, as added by chapter 211 of the laws of 1993 and paragraph a of subdivision 2 as amended by chapter 458 of the laws of 1997, are amended to read as follows:

2. Approval of site plans. a. The legislative body of each city may, as part of a zoning ordinance or local law adopted pursuant to subdivisions twenty-four and twenty-five of section twenty of this chapter or by local law or ordinance adopted pursuant to other enabling law, authorize the planning board or such other administrative body that it shall so designate, to review and approve, approve with modifications or disapprove site plans, prepared to specifications set forth in the ordinance or local law and/or in regulations of such authorized board. Site plans shall show the arrangement, layout and design of the proposed use of the land on said plan as designated by the form provided pursuant to paragraph c of this subdivision. The ordinance or local law shall specify the land uses that require site plan approval and the elements to be included on plans submitted for approval. The required site plan elements which are included in the local law or ordinance may include, where appropriate, those related to parking, means of access, screening, signs, landscaping, architectural features, location and dimensions of buildings, adjacent land uses and physical features meant to protect adjacent land uses as well as any additional elements specified by the legislative body in such zoning ordinance or local law.

b. When an authorization to approve site plans is granted by the legislative body pursuant to this section, the terms thereof may condition the issuance of a building permit upon such approval.

c. (i) A planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph a of this subdivision shall develop and make available an application form to be filled out for submission of such site plans. Such form shall include a complete list of all studies, reports, documents, and technical standards required for a complete application. The reviewing authority has the ability to either deem the form complete or incomplete within thirty days of submission. Such form shall be published in a manner easily accessible to the public.

(ii) No planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph a of this subdivision shall require any additional studies, reports, or documents to be submitted as part of an application for site plan review beyond what is required by the form developed pursuant to subparagraph (i) of this paragraph, except where:

(1) the applicant's submission does not otherwise comply with the standards set forth in such form; or

(2) the scope or scale of the project materially changes after submission of such form as determined by the planning board or other administrative body.

(iii) A planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph a of this subdivision may update the form developed pursuant to subparagraph (i) of this paragraph from time to time. Any such updates shall be reported to applicants that have open or pending applications for site review within ten days of any such changes. Amendments by such applicants shall be accepted to maintain compliance with such updated form.

(iv) Within thirty days after the submission of a site plan application that has been deemed complete by the reviewing authority, pursuant to this paragraph, the planning board or other administrative body authorized to designate, review and approve, approve with modifications, or disapprove site plans pursuant to paragraph a of this subdivision shall notify the applicant in writing whether their application is complete. If no such notice is provided within such thirty-day period, the application shall be deemed complete for all purposes of this section. An actual determination of completeness, or a constructive determination of completeness under this paragraph, shall not be construed as an approval of the site plan, but shall commence the period for substantive review and decision on such application as otherwise provided by law.

5. Waiver of requirements. The legislative body may further empower the authorized board to, when reasonable, waive any requirements for the approval, approval with modifications or disapproval of site plans submitted for approval, provided, however, that the requirements under paragraph c of subdivision two of this section shall not be waived. Any such waiver, which shall be subject to appropriate conditions set forth in the local law adopted pursuant to this section, may be exercised in the event any such requirements are found not to be requisite in the interest of the public health, safety and general welfare or inappropriate to a particular site plan.

§ 5. The forms required to be developed pursuant to paragraph (c) of subdivision 2 of section 274-a of the town law, paragraph (c) of subdivision 2 of section 7-725-a of the village law, and paragraph c of subdivision 2 of section 27-a of the general city law, as amended by sections two, three and four of this act respectively, shall be developed no later than one hundred eighty days after the effective date of this act.

§ 6. This act shall take effect immediately.