

8795

2009-2010 Regular Sessions

I N   A S S E M B L Y

June 9, 2009

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Introduced by M. of A. V. LOPEZ -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to urban development action areas

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 693 of the general municipal law, as amended by  
2 chapter 701 of the laws of 2006, is amended to read as follows:  
3     S 693. Area designation. An urban development action area shall by  
4 resolution be designated by the governing body, or by the commission  
5 where so authorized to act by the governing body, on its own initiative  
6 or upon recommendation of the agency, provided at least sixty percent of  
7 such area is an eligible area. Any such designation shall be in conform-  
8 ance with the standards and procedures required for all land use deter-  
9 minations pursuant to general, special or local law or charter.  
10 Provided, however, that if a proposed urban development action area  
11 project is to be developed on an eligible area and consists solely of  
12 the rehabilitation or conservation of existing private or multiple  
13 dwellings, the construction of one to four unit dwellings or, until June  
14 thirtieth, two thousand [nine] TWELVE, [the construction of] FOR up to  
15 six urban development action area projects in any calendar year, [each  
16 containing] THE CONSTRUCTION OF up to ninety dwelling units financed by  
17 the federal government and restricted to occupancy by the elderly or by  
18 persons with disabilities without any change in land use permitted by  
19 local zoning, the governing body, or the commission where so authorized  
20 to act by the governing body, may waive the area designation require-  
21 ment.  
22     S 2. Subdivision 5 of section 694 of the general municipal law, as  
23 amended by chapter 562 of the laws of 1990, is amended to read as  
24 follows;

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

LBD14204-01-9

1 5. Any approval of an urban development action area project shall be  
2 in conformance with the standards and procedures required for all land  
3 use determinations pursuant to general, special or local law or charter.  
4 In a city having a population of one million or more, the governing body  
5 may require that the agency incorporate into the project any or all of  
6 the following: (i) the proposed number of residential units; (ii) wheth-  
7 er such units are home ownership units, rental units or condominium or  
8 cooperative units; (iii) a best estimate of the initial rents or selling  
9 prices for such units; (iv) the proposed income restrictions, if any, on  
10 renters or purchasers of such units; and (v) the basis on which the  
11 consideration for the sale or lease of the property is to be determined.  
12 Provided, however, that if the proposed urban development action area  
13 project consists solely of the rehabilitation or conservation of exist-  
14 ing private or multiple dwellings or the construction of one to four  
15 unit dwellings OR, UNTIL JUNE THIRTIETH, TWO THOUSAND TWELVE, FOR UP TO  
16 SIX URBAN DEVELOPMENT ACTION AREA PROJECTS IN ANY CALENDAR YEAR, THE  
17 CONSTRUCTION OF UP TO NINETY DWELLING UNITS FINANCED BY THE FEDERAL  
18 GOVERNMENT AND RESTRICTED TO OCCUPANCY BY THE ELDERLY OR BY PERSONS WITH  
19 DISABILITIES without any change in land use permitted by local zoning,  
20 the governing body, or the commission where so authorized to act by the  
21 governing body, may waive any such standards and procedures required by  
22 local law or charter.

23 S 3. Paragraph (d) of subdivision 6 of section 695 of the general  
24 municipal law, as amended by chapter 437 of the laws of 2000, is amended  
25 to read as follows:

26 (d) Notwithstanding any standards or procedures established for land  
27 disposition by general, special or local law or charter, if an urban  
28 development action area project is to be developed on an eligible area  
29 and consists solely of the rehabilitation or conservation of existing  
30 private or multiple dwellings or the construction of one to four unit  
31 dwellings OR, UNTIL JUNE THIRTIETH, TWO THOUSAND TWELVE, FOR UP TO SIX  
32 URBAN DEVELOPMENT ACTION AREA PROJECTS IN ANY CALENDAR YEAR, THE  
33 CONSTRUCTION OF UP TO NINETY DWELLING UNITS FINANCED BY THE FEDERAL  
34 GOVERNMENT AND RESTRICTED TO OCCUPANCY BY THE ELDERLY OR BY PERSONS WITH  
35 DISABILITIES without any change in land use permitted by local zoning, a  
36 municipality may dispose of the real property constituting such urban  
37 development action project to any person, firm, or corporation qualified  
38 pursuant to this subdivision by resolution of its governing body or, in  
39 any city having a population of one million or more, by action of the  
40 mayor, provided that such disposition is in accordance with the require-  
41 ments of this subdivision. Disposition of real property acquired by  
42 condemnation shall be in accordance with the requirements of section  
43 four hundred six of the eminent domain procedure law, if applicable.

44 S 4. This act shall take effect immediately; provided however that the  
45 amendments to section 693 of the general municipal law made by section  
46 one of this act shall not affect the expiration of such section and  
47 shall expire therewith.