S T A T E O F N E W Y O R K

8796

2009-2010 Regular Sessions

I N A S S E M B L Y

June 9, 2009

Introduced by M. of A. V. LOPEZ, CRESPO, GIBSON -- 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:

Section 1. Section 693 of the general municipal law, as amended by chapter 437 of the laws of 2000, is amended to read as follows:

S 693. Area designation. An urban development action area shall by resolution be designated by the governing body, or by the commission where so authorized to act by the governing body, on its own initiative or upon recommendation of the agency, provided at least sixty percent of such area is an eligible area. Any such designation shall be in conformance with the standards and procedures required for all land use determinations pursuant to general, special or local law or charter. Provided, however, that if a proposed urban development action area project is to be developed on an eligible area and consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings OR, UNTIL JUNE THIRTIETH, TWO THOUSAND TWELVE, FOR UP TO SIX URBAN DEVELOPMENT ACTION AREA PROJECTS IN ANY CALENDAR YEAR, THE CONSTRUCTION OF UP TO NINETY DWELLING UNITS FINANCED BY THE FEDERAL GOVERNMENT AND RESTRICTED TO OCCUPANCY BY THE ELDERLY OR BY PERSONS WITH DISABILITIES without any change in land use permitted by local zoning, the governing body, or the commission where so authorized to act by the governing body, may waive the area designation requirement.

S 2. Subdivision 5 of section 694 of the general municipal law, as amended by chapter 562 of the laws of 1990, is amended to read as follows:

5. Any approval of an urban development action area project shall be in conformance with the standards and procedures required for all land

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

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

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

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

S 4. This act shall take effect on July 15, 2009.