

5776

2009-2010 Regular Sessions

I N S E N A T E

June 4, 2009

Introduced by Sen. ESPADA -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

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.

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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.