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

2318

2009-2010 Regular Sessions

I N A S S E M B L Y

January 15, 2009

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

AN ACT to amend the general city law, in relation to granting a variance, exception, or permit to allow new residential construction in a district zoned for manufacturing

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

Section 1. Section 81 of the general city law is amended by adding a new subdivision 12 to read as follows:

12. GRANTING A VARIANCE. IN A CITY HAVING A POPULATION OF MORE THAN ONE MILLION AS A CONDITION TO THE GRANT OF A VARIANCE, EXCEPTION OR PERMIT TO ALLOW NEW RESIDENTIAL CONSTRUCTION IN A DISTRICT ZONED FOR MANUFACTURING, IN ADDITION TO ALL OF THE FINDINGS REQUIRED BY APPLICABLE LAWS, CODES AND REGULATIONS, THE BOARD OF STANDARDS AND APPEALS MUST FIND THAT THE PREMISES COULD NOT YIELD A REASONABLE RETURN FROM A NON-RESIDENTIAL, NONCONFORMING USE.

S 2. This act shall take effect immediately.

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

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