

5891

2009-2010 Regular Sessions

I N S E N A T E

June 18, 2009

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

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 437 of the laws of 2000, 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 or the construction of one to four unit dwellings OR, UNTIL  
14 JUNE THIRTIETH, TWO THOUSAND TWELVE, FOR UP TO SIX URBAN DEVELOPMENT  
15 ACTION AREA PROJECTS IN ANY CALENDAR YEAR, THE CONSTRUCTION OF UP TO  
16 NINETY DWELLING UNITS FINANCED BY THE FEDERAL GOVERNMENT AND RESTRICTED  
17 TO OCCUPANCY BY THE ELDERLY OR BY PERSONS WITH DISABILITIES without any  
18 change in land use permitted by local zoning, the governing body, or the  
19 commission where so authorized to act by the governing body, may waive  
20 the area designation requirement.  
21 S 2. Subdivision 5 of section 694 of the general municipal law, as  
22 amended by chapter 562 of the laws of 1990, is amended to read as  
23 follows:  
24 5. Any approval of an urban development action area project shall be  
25 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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1 use determinations pursuant to general, special or local law or charter.  
2 In a city having a population of one million or more, the governing body  
3 may require that the agency incorporate into the project any or all of  
4 the following: (i) the proposed number of residential units; (ii) wheth-  
5 er such units are home ownership units, rental units or condominium or  
6 cooperative units; (iii) a best estimate of the initial rents or selling  
7 prices for such units; (iv) the proposed income restrictions, if any, on  
8 renters or purchasers of such units; and (v) the basis on which the  
9 consideration for the sale or lease of the property is to be determined.  
10 Provided, however, that if the proposed urban development action area  
11 project consists solely of the rehabilitation or conservation of exist-  
12 ing private or multiple dwellings or the construction of one to four  
13 unit dwellings OR, UNTIL JUNE THIRTIETH, TWO THOUSAND TWELVE, FOR UP TO  
14 SIX URBAN DEVELOPMENT ACTION AREA PROJECTS IN ANY CALENDAR YEAR, THE  
15 CONSTRUCTION OF UP TO NINETY DWELLING UNITS FINANCED BY THE FEDERAL  
16 GOVERNMENT AND RESTRICTED TO OCCUPANCY BY THE ELDERLY OR BY PERSONS WITH  
17 DISABILITIES without any change in land use permitted by local zoning,  
18 the governing body, or the commission where so authorized to act by the  
19 governing body, may waive any such standards and procedures required by  
20 local law or charter.

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

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

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