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I N S E N A T E

March 7, 2012

Introduced by Sen. YOUNG -- 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 197 of the laws of 2009, 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] FIFTEEN, for up to six urban
15 development action area projects in any calendar year, the construction
16 of up to ninety dwelling units financed by the federal government and
17 restricted to occupancy by the elderly or by persons with disabilities
18 without any change in land use permitted by local zoning, the governing
19 body, or the commission where so authorized to act by the governing
20 body, may waive the area designation requirement.
21 S 2. Subdivision 5 of section 694 of the general municipal law, as
22 amended by chapter 197 of the laws of 2009, 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
26 use determinations pursuant to general, special or local law or charter.
27 In a city having a population of one million or more, the governing body
28 may require that the agency incorporate into the project any or all of

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

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1 the following: (i) the proposed number of residential units; (ii) wheth-
2 er such units are home ownership units, rental units or condominium or
3 cooperative units; (iii) a best estimate of the initial rents or selling
4 prices for such units; (iv) the proposed income restrictions, if any, on
5 renters or purchasers of such units; and (v) the basis on which the
6 consideration for the sale or lease of the property is to be determined.
7 Provided, however, that if the proposed urban development action area
8 project consists solely of the rehabilitation or conservation of exist-
9 ing private or multiple dwellings or the construction of one to four
10 unit dwellings or, until June thirtieth, two thousand [twelve] FIFTEEN,
11 for up to six urban development action area projects in any calendar
12 year, the construction of up to ninety dwelling units financed by the
13 federal government and restricted to occupancy by the elderly or by
14 persons with disabilities without any change in land use permitted by
15 local zoning, the governing body, or the commission where so authorized
16 to act by the governing body, may waive any such standards and proce-
17 dures required by local law or charter.

18 S 3. Paragraph (d) of subdivision 6 of section 695 of the general
19 municipal law, as amended by chapter 197 of the laws of 2009, is amended
20 to read as follows:

21 (d) Notwithstanding any standards or procedures established for land
22 disposition by general, special or local law or charter, if an urban
23 development action area project is to be developed on an eligible area
24 and consists solely of the rehabilitation or conservation of existing
25 private or multiple dwellings or the construction of one to four unit
26 dwellings or, until June thirtieth, two thousand [twelve] FIFTEEN, for
27 up to six urban development action area projects in any calendar year,
28 the construction of up to ninety dwelling units financed by the federal
29 government and restricted to occupancy by the elderly or by persons with
30 disabilities without any change in land use permitted by local zoning, a
31 municipality may dispose of the real property constituting such urban
32 development action project to any person, firm, or corporation qualified
33 pursuant to this subdivision by resolution of its governing body or, in
34 any city having a population of one million or more, by action of the
35 mayor, provided that such disposition is in accordance with the require-
36 ments of this subdivision. Disposition of real property acquired by
37 condemnation shall be in accordance with the requirements of section
38 four hundred six of the eminent domain procedure law, if applicable.

39 4. This act shall take effect immediately.