

7956

I N   S E N A T E

December 1, 2014

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

AN ACT to amend the administrative code of the city of New York, in relation to the location of supportive housing facilities and social services centers, and renewal of the lease or operation of such facility or center

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

1     Section 1. The administrative code of the city of New York is amended  
2     by adding a new section 25-111-a to read as follows:  
3     S 25-111-A CITY PLANNING COMMISSION TO REGULATE THE LOCATION AND  
4     CONTINUED OPERATION OF SUPPORTIVE HOUSING FACILITIES AND SOCIAL SERVICES  
5     CENTERS. A. THE CITY PLANNING COMMISSION SHALL REGULATE AND MAY RESTRICT  
6     THE LOCATION OF SUPPORTIVE HOUSING FACILITIES AND SOCIAL SERVICES  
7     CENTERS, AND SET THE CONDITIONS FOR THE RENEWAL OF LEASES OR PLANS OF  
8     OPERATION FOR SUCH FACILITIES AND CENTERS.  
9     B. FOR THE PURPOSES OF THIS SECTION, "SUPPORTIVE HOUSING FACILITY OR  
10    SOCIAL SERVICES CENTER" MEANS A MULTIPLE RESIDENCE OR CENTER OPERATED BY  
11    THE STATE, THE CITY, OR A NOT-FOR-PROFIT ORGANIZATION, WHICH PROVIDES  
12    HOUSING ACCOMMODATIONS AND SUPPORT SERVICES TO TEN OR MORE RESIDENTS OR  
13    FIFTY OR MORE NON-RESIDENT CLIENTS PER DAY WHO HAVE MENTAL ILLNESS,  
14    TRAUMA, ABUSE, CHEMICAL DEPENDENCY AND/OR CHRONIC ILLNESS; AND SHELTERS  
15    FOR THE HOMELESS, OR ABUSED WOMEN AND CHILDREN.  
16    C. THE CITY PLANNING COMMISSION SHALL NOT AUTHORIZE THE ESTABLISHMENT  
17    OR LOCATION, OR THE RENEWAL OF THE LEASE OR A CONTRACT TO FINANCE THE  
18    OPERATION, OF A SUPPORTIVE HOUSING FACILITY OR SOCIAL SERVICES CENTER  
19    UNTIL THE PROVISIONS OF THIS SECTION HAVE BEEN COMPLIED WITH.  
20    D. NO SUPPORTIVE HOUSING FACILITY OR SOCIAL SERVICES CENTER SHALL BE  
21    ESTABLISHED OR LOCATED IN THE CITY, NOR SHALL THE LEASE FOR OR A  
22    CONTRACT TO FINANCE THE OPERATION OF SUCH A FACILITY OR CENTER BE  
23    RENEWED, UNTIL THE OPERATOR THEREOF SHALL HAVE FILED NOTICE OF SUCH  
24    PROPOSED OR EXISTING SUPPORTIVE HOUSING FACILITY OR SOCIAL SERVICES  
25    CENTER WITH THE CITY PLANNING COMMISSION AND THE COMMUNITY BOARD OF THE  
26    LOCALITY IN WHICH SUCH FACILITY OR CENTER IS PROPOSED TO BE LOCATED OR

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

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1 IS LOCATED. SUCH NOTICE SHALL CONTAIN A DESCRIPTION OF THE SCOPE,  
2 NATURE, SIZE AND KINDS OF TREATMENT PROGRAMS TO BE PROVIDED, THE SPECIF-  
3 IC ADDRESS OF THE FACILITY OR CENTER, THE NUMBER OF ANTICIPATED RESI-  
4 DENTS OR CLIENTS, THE ENTITIES THAT FINANCE ITS ESTABLISHMENT OR OPER-  
5 ATIONS, AND THE AMOUNT OF FINANCING ISSUED TO ESTABLISH AND OPERATE SUCH  
6 FACILITY OR CENTER STATED AS BOTH A SPECIFIC DOLLAR AMOUNT AND AS A  
7 PERCENTAGE OF THE TOTAL AMOUNT OF ALL MONEYS USED TO ESTABLISH AND OPER-  
8 ATE SUCH FACILITY OR CENTER.

9 E. NOT LESS THAN FORTY-FIVE DAYS NOR MORE THAN NINETY DAYS AFTER AN  
10 OPERATOR'S NOTICE PURSUANT TO SUBDIVISION D OF THIS SECTION, THE CITY  
11 PLANNING COMMISSION SHALL HOLD A PUBLIC COMMUNITY FORUM FOR THE PURPOSE  
12 OF OBTAINING PUBLIC AND COMMUNITY BOARD INPUT CONCERNING THE ANTICIPATED  
13 IMPACT OF THE PROPOSED SUPPORTIVE HOUSING FACILITY OR SOCIAL SERVICES  
14 CENTER, OR THE CONTINUED OPERATION OF SUCH FACILITY OR CENTER UPON  
15 RENEWAL OF THE LEASE OR CONTRACT TO FINANCE ITS OPERATION, UPON THE  
16 COMMUNITY AND IF THERE IS AN OVER CONCENTRATION OF SUCH FACILITIES AND  
17 CENTERS IN THE AFFECTED COMMUNITY. SUCH IMPACT MAY INCLUDE AND RELATE  
18 TO ANY POTENTIAL ADVERSE EFFECT UPON THE COMMUNITY CAUSED BY SUCH FACIL-  
19 ITY OR CENTER BEFORE, DURING OR AFTER ITS ESTABLISHMENT OR RENEWAL, AND  
20 THE OVER CONCENTRATION OF SUCH FACILITIES AND CENTERS WITHIN SUCH LOCAL  
21 COMMUNITY. THE CITY PLANNING COMMISSION SHALL AFFORD COMMUNITY MEMBERS,  
22 REPRESENTATIVES OF THE LOCAL COMMUNITY BOARD, LOCAL BUSINESSES AND RESI-  
23 DENTS A REASONABLE OPPORTUNITY TO SPEAK ABOUT RELEVANT MATTERS AT SUCH  
24 COMMUNITY FORUM AND MEASURES THAT MAY HELP TO MITIGATE AGAINST ANY  
25 ANTICIPATED OR PAST ADVERSE IMPACTS UPON SUCH COMMUNITY. EVERY SUCH  
26 FORUM SHALL BE HELD UPON NOT LESS THAN TWENTY DAYS NOTICE TO THE  
27 AFFECTED COMMUNITY AND THE LOCAL COMMUNITY BOARD.

28 F. THE CITY PLANNING COMMISSION SHALL, PRIOR TO ESTABLISHING THE DATE,  
29 TIME AND LOCATION OF THE PUBLIC COMMUNITY FORUM, CONSULT WITH AND OBTAIN  
30 THE ADVICE AND CONSENT OF THE APPROPRIATE COMMUNITY BOARD AS TO ESTAB-  
31 LISHING A CONVENIENT DATE, TIME AND LOCATION TO CONDUCT THE FORUM FOR  
32 THE LOCALLY IMPACTED COMMUNITY. SUCH FORUM LOCATION SHALL BE WITHIN  
33 REASONABLE PROXIMITY OF THE PROPOSED SUPPORTIVE HOUSING FACILITY OR  
34 SOCIAL SERVICES CENTER, AND IN SUITABLE FACILITIES THAT PROVIDE ADEQUATE  
35 ROOM AND ACCESS TO HEAR PUBLIC COMMENTS PRESENTED.

36 G. NOT LESS THAN SIXTY DAYS, NOR MORE THAN NINETY DAYS, AFTER HOLDING  
37 A COMMUNITY FORUM THE CITY PLANNING COMMISSION SHALL, AFTER DUE CONSID-  
38 ERATION OF THE COMMENTS AT SUCH FORUM, EITHER APPROVE, MODIFY OR DENY  
39 AUTHORIZATION OR REAUTHORIZATION FOR THE LOCATION, ESTABLISHMENT OR  
40 CONTINUED OPERATION OF THE SUPPORTIVE HOUSING FACILITY OR SOCIAL  
41 SERVICES CENTER, OR SUGGEST AN ALTERNATIVE LOCATION FOR SUCH FACILITY OR  
42 CENTER. IF SUCH APPLICATION IS APPROVED OR MODIFIED UPON APPROVAL, THE  
43 COMMUNITY BOARD SHALL OBTAIN SUCH DECISION AND THE LENGTH OF TIME SUCH  
44 FACILITY OR CENTER IS AUTHORIZED TO REMAIN IN OPERATION. SHOULD SUCH  
45 APPLICATION BE DENIED, THE SPONSOR OF SUCH APPLICATION SHALL BE  
46 PRECLUDED FROM REAPPLYING FOR APPROVAL OF THE LOCATION, ESTABLISHMENT OR  
47 OPERATION OF SUCH FACILITY OR CENTER, OR ANY SIMILAR TYPE FACILITY OR  
48 CENTER, FOR A PERIOD OF TWO YEARS FROM THE DATE OF SUCH DENIAL.

49 H. THE PROVISIONS OF SUBDIVISIONS D, E, F AND G OF THIS SECTION SHALL  
50 APPLY TO EVERY APPLICATION FOR THE CONTINUED OPERATION OF A SUPPORTIVE  
51 HOUSING FACILITY OR SOCIAL SERVICES CENTER PURSUANT TO THIS SECTION. NO  
52 SUCH FACILITY OR CENTER SHALL CONTINUE TO OPERATE UNTIL SUCH PROVISIONS  
53 OF THIS SECTION SHALL BE COMPLIED WITH.

54 S 2. This act shall take effect on the sixtieth day after it shall  
55 have become a law.