

2553--A

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 16, 2015

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Introduced by M. of A. BENEDETTO, TITONE -- read once and referred to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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. ADDITIONALLY, UPON PASSAGE  
9     AND FILING WITH SUCH COMMISSION OF A RESOLUTION BY THE COMMUNITY BOARD  
10    IN WHICH A FACILITY OR CENTER IS LOCATED, THE CITY PLANNING COMMISSION  
11    MAY SET THE CONDITIONS FOR THE RENEWAL OF A LEASE OR PLAN OF OPERATION  
12    OF SUCH FACILITY OR CENTER.  
13    B. FOR THE PURPOSES OF THIS SECTION, "SUPPORTIVE HOUSING FACILITY OR  
14    SOCIAL SERVICES CENTER" MEANS A MULTIPLE RESIDENCE OR CENTER OPERATED BY  
15    THE STATE, THE CITY, OR A NOT-FOR-PROFIT ORGANIZATION, WHICH PROVIDES  
16    HOUSING ACCOMMODATIONS AND SUPPORT SERVICES TO TEN OR MORE RESIDENTS OR  
17    FIFTY OR MORE NON-RESIDENT CLIENTS PER DAY WHO HAVE MENTAL ILLNESS,  
18    TRAUMA, ABUSE, CHEMICAL DEPENDENCY AND/OR CHRONIC ILLNESS; AND SHELTERS  
19    FOR THE HOMELESS, OR ABUSED WOMEN AND CHILDREN.  
20    C. THE CITY PLANNING COMMISSION SHALL NOT AUTHORIZE THE ESTABLISHMENT  
21    OR LOCATION, OR, UPON PASSAGE AND FILING WITH SUCH COMMISSION OF A  
22    RESOLUTION BY THE COMMUNITY BOARD OF THE LOCALITY IN WHICH A FACILITY OR

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

LBD04367-03-5

1 CENTER IS LOCATED, THE RENEWAL OF THE LEASE OR A CONTRACT TO FINANCE THE  
2 OPERATION, OF A SUPPORTIVE HOUSING FACILITY OR SOCIAL SERVICES CENTER  
3 UNTIL THE PROVISIONS OF THIS SECTION HAVE BEEN COMPLIED WITH.

4 D. NO SUPPORTIVE HOUSING FACILITY OR SOCIAL SERVICES CENTER SHALL BE  
5 ESTABLISHED OR LOCATED IN THE CITY, NOR, PURSUANT TO SUBDIVISION H OF  
6 THIS SECTION, SHALL THE LEASE FOR OR A CONTRACT TO FINANCE THE OPERATION  
7 OF SUCH A FACILITY OR CENTER BE RENEWED, UNTIL THE OPERATOR THEREOF  
8 SHALL HAVE FILED NOTICE OF SUCH PROPOSED OR EXISTING SUPPORTIVE HOUSING  
9 FACILITY OR SOCIAL SERVICES CENTER WITH THE CITY PLANNING COMMISSION AND  
10 THE COMMUNITY BOARD OF THE LOCALITY IN WHICH SUCH FACILITY OR CENTER IS  
11 PROPOSED TO BE LOCATED OR IS LOCATED. SUCH NOTICE SHALL CONTAIN A  
12 DESCRIPTION OF THE SCOPE, NATURE, SIZE AND KINDS OF TREATMENT PROGRAMS  
13 TO BE PROVIDED, THE SPECIFIC ADDRESS OF THE FACILITY OR CENTER, THE  
14 NUMBER OF ANTICIPATED RESIDENTS OR CLIENTS, THE ENTITIES THAT FINANCE  
15 ITS ESTABLISHMENT OR OPERATIONS, AND THE AMOUNT OF FINANCING ISSUED TO  
16 ESTABLISH AND OPERATE SUCH FACILITY OR CENTER STATED AS BOTH A SPECIFIC  
17 DOLLAR AMOUNT AND AS A PERCENTAGE OF THE TOTAL AMOUNT OF ALL MONEYS USED  
18 TO ESTABLISH AND OPERATE SUCH FACILITY OR CENTER.

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

38 F. THE CITY PLANNING COMMISSION SHALL, PRIOR TO ESTABLISHING THE DATE,  
39 TIME AND LOCATION OF THE PUBLIC COMMUNITY FORUM, CONSULT WITH AND OBTAIN  
40 THE ADVICE AND CONSENT OF THE APPROPRIATE COMMUNITY BOARD AS TO ESTAB-  
41 LISHING A CONVENIENT DATE, TIME AND LOCATION TO CONDUCT THE FORUM FOR  
42 THE LOCALLY IMPACTED COMMUNITY. SUCH FORUM LOCATION SHALL BE WITHIN  
43 REASONABLE PROXIMITY OF THE PROPOSED SUPPORTIVE HOUSING FACILITY OR  
44 SOCIAL SERVICES CENTER, AND IN SUITABLE FACILITIES THAT PROVIDE ADEQUATE  
45 ROOM AND ACCESS TO HEAR PUBLIC COMMENTS PRESENTED.

46 G. NOT LESS THAN SIXTY DAYS, NOR MORE THAN NINETY DAYS, AFTER HOLDING  
47 A COMMUNITY FORUM THE CITY PLANNING COMMISSION SHALL, AFTER DUE CONSID-  
48 ERATION OF THE COMMENTS AT SUCH FORUM, EITHER APPROVE, MODIFY OR DENY  
49 AUTHORIZATION OR REAUTHORIZATION FOR THE LOCATION, ESTABLISHMENT OR  
50 CONTINUED OPERATION OF THE SUPPORTIVE HOUSING FACILITY OR SOCIAL  
51 SERVICES CENTER, OR SUGGEST AN ALTERNATIVE LOCATION FOR SUCH FACILITY OR  
52 CENTER. IF SUCH APPLICATION IS APPROVED OR MODIFIED UPON APPROVAL, THE  
53 COMMUNITY BOARD SHALL OBTAIN SUCH DECISION AND THE LENGTH OF TIME SUCH  
54 FACILITY OR CENTER IS AUTHORIZED TO REMAIN IN OPERATION. SHOULD SUCH  
55 APPLICATION BE DENIED, THE SPONSOR OF SUCH APPLICATION SHALL BE  
56 PRECLUDED FROM REAPPLYING FOR APPROVAL OF THE LOCATION, ESTABLISHMENT OR

1 OPERATION OF SUCH FACILITY OR CENTER, OR ANY SIMILAR TYPE FACILITY OR  
2 CENTER, FOR A PERIOD OF TWO YEARS FROM THE DATE OF SUCH DENIAL.  
3 H. THE PROVISIONS OF SUBDIVISIONS D, E, F AND G OF THIS SECTION SHALL  
4 ONLY APPLY TO APPLICATIONS FOR THE CONTINUED OPERATION OF A SUPPORTIVE  
5 HOUSING FACILITY OR SOCIAL SERVICES CENTER PURSUANT TO THIS SECTION IF  
6 THE COMMUNITY BOARD OF THE LOCALITY IN WHICH A FACILITY OR CENTER IS  
7 LOCATED PASSES AND FILES WITH SUCH COMMISSION A RESOLUTION REQUESTING A  
8 HEARING ON SUCH RENEWAL AT LEAST ONE HUNDRED EIGHTY DAYS PRIOR TO THE  
9 EXPIRATION OF THE EXISTING LEASE OR CONTRACT. UPON PASSAGE AND FILING OF  
10 SUCH A RESOLUTION, NO SUCH FACILITY OR CENTER SHALL CONTINUE TO OPERATE  
11 UNTIL SUCH PROVISIONS OF THIS SECTION SHALL BE COMPLIED WITH.  
12 S 2. This act shall take effect on the sixtieth day after it shall  
13 have become a law.