S T A T E   O F   N E W   Y O R K
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5044

2015-2016 Regular Sessions

I N   S E N A T E

April 29, 2015
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Introduced by Sen. AVELLA -- read twice and ordered printed, and when
  printed to be committed to the Committee on Cities

AN ACT to amend the New York city charter, in relation to rezoning and
  municipal building impacts in cities of one million or more

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

 1   Section 1. The New York city charter is amended by adding two new
 2 sections 201-a and 201-b to read as follows:
 3   S 201-A. REZONING. IN CITIES OF A MILLION OR MORE, WHEN A MUNICIPALITY
 4 REZONES OR MAKES A ZONING TEXT CHANGE TO AN EXISTING R1, R2, R3, R4 OR
 5 R5 ZONE THAT HAS BEEN PREVIOUSLY REZONED WITHIN THE PAST FIFTEEN YEARS,
 6 THE MUNICIPALITY MUST PAY A PROPERTY OWNER THREE TIMES THE DIFFERENCE
 7 BETWEEN THE PRICE PAID FOR THE PROPERTY FOR ANY SALE MADE SUBSEQUENT TO
 8 THE EFFECTIVE DATE OF THE REZONING AND THE MARKET VALUE OF THE PROPERTY
 9 AS REFLECTED ON THE LAST PROPERTY BILL ISSUED PRIOR TO THE EFFECTIVE
10 DATE OF A SUBSEQUENT REZONING IF THE PURCHASE PRICE IS LESS THAN THE
11 MARKET VALUE OF THE PROPERTY AS REFLECTED ON THE LAST PROPERTY BILL
12 ISSUED PRIOR TO THE EFFECTIVE DATE OF THE REZONING. THIS PROVISION SHALL
13 NOT APPLY TO PROPERTIES IN EXISTING COMMERCIAL OVERLAYS IN R1, R2, R3,
14 R4, OR R5 ZONES.
15   S 201-B. MUNICIPAL BUILDING IMPACTS AND RESIDENTIAL NEIGHBORHOODS. IN
16 CITIES OF A MILLION OR MORE, IF A MUNICIPALITY CONSTRUCTS A MUNICIPAL
17 BUILDING THAT ABUTS AN R1, R2, R3 OR R4 DISTRICT, A MUNICIPALITY MUST
18 PAY A PROPERTY OWNER THREE TIMES THE DIFFERENCE BETWEEN THE PRICE PAID
19 FOR THE PROPERTY FOR ANY SALE MADE SUBSEQUENT TO THE CONSTRUCTION OF THE
20 MUNICIPAL BUILDING AND THE MARKET VALUE OF THE PROPERTY AS REFLECTED ON
21 THE LAST PROPERTY BILL ISSUED PRIOR TO THE COMPLETION OF THE
22 CONSTRUCTION IF THE PURCHASE PRICE IS LESS THAN THE MARKET VALUE OF THE
23 PROPERTY AS REFLECTED ON THE LAST PROPERTY BILL ISSUED PRIOR TO THE
24 COMPLETION OF THE CONSTRUCTION.
25   S 2. This act shall take effect immediately.