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

9658--A

I N A S S E M B L Y

March 24, 2016

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

AN ACT to amend the general municipal law, in relation to the creation and recognition of architectural districts

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

Section 1. The article heading of article 5-K of the general municipal law, as added by chapter 354 of the laws of 1980, is amended to read as follows:

HISTORIC PRESERVATION AND ARCHITECTURAL DISTRICTS

S 2. The general municipal law is amended by adding a new section 119-ddd to read as follows:

S 119-DDD. ARCHITECTURAL DISTRICTS. IN ADDITION TO EXISTING POWERS AND AUTHORITIES TO REGULATE BY PLANNING OR ZONING LAWS, HISTORIC PRESERVATION LAWS AND REGULATIONS OR BY LOCAL LAWS AND REGULATIONS FOR THE CREATION OF DISTRICTS, THE GOVERNING BOARD OF A MUNICIPAL CORPORATION IS HEREBY EMPOWERED TO:

1. RECOGNIZE AND ESTABLISH AN ARCHITECTURAL DISTRICT OR COMMISSION WITH SUCH POWERS AS ARE NECESSARY TO CARRY OUT ALL OR ANY OF THE AUTHORITY POSSESSED BY THE MUNICIPAL CORPORATION FOR SUCH CREATION, AS THE GOVERNING BOARD DEEMS APPROPRIATE.

2. ANY RESIDENT OF A MUNICIPAL CORPORATION MAY SUBMIT TO THE GOVERNING BOARD OF SUCH MUNICIPAL CORPORATION A DETAILED PLAN SETTING FORTH ARCHITECTURAL DESIGN CHARACTERISTICS SUCH AS, BUT NOT LIMITED TO, NATURAL AREAS, AESTHETICS, AND OPEN SPACES. SUCH PLAN SHALL INCLUDE A RENDERING, DRAWING, OR SKETCH PREPARED TO SPECIFICATIONS WHICH SHOWS THE ARRANGEMENT, LAYOUT AND DESIGN OF THE PROPOSED ARCHITECTURAL DISTRICT AND SHALL BE REVIEWED PURSUANT TO SUBDIVISION THREE OF THIS SECTION.

3. UPON RECEIPT OF SUCH PLAN, THE GOVERNING BOARD OF SUCH MUNICIPAL CORPORATION MAY HOLD A PUBLIC HEARING REGARDING A PROPOSED CREATION AND RECOGNITION OF THE ARCHITECTURAL DISTRICT WITH NOTICE PROVIDED TO THE AFFECTED COMMUNITY.

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

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4. AFTER NOTICE AND PUBLIC HEARING BY THE GOVERNING BOARD OF SUCH MUNICIPAL CORPORATION, REGARDING A PROPOSED CREATION AND RECOGNITION OF AN ARCHITECTURAL DISTRICT, SUCH BOARD MAY DETERMINE WHETHER TO RECOGNIZE AND ESTABLISH SUCH DISTRICT AND PRESERVE THE QUALITIES IT DEEMS QUALIFIES AS SUCH DISTRICT.

5. THE GOVERNING BOARD OF A MUNICIPAL CORPORATION IN WHICH AN ARCHITECTURAL DISTRICT IS CREATED AND RECOGNIZED, PURSUANT TO SUBDIVISION FOUR OF THIS SECTION, SHALL DESIGNATE THE LOCAL AGENCY OR DEPARTMENT THAT SHALL ENFORCE THE PRESERVATION OF SUCH DISTRICT.

S 3. This act shall take effect immediately.