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

6958

I N S E N A T E

March 10, 2016

Introduced by Sen. AVELLA -- 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 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 LEGISLATIVE BODY OF A CITY WITH A POPULATION OF ONE MILLION OR MORE, SHALL:

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 MUNICIPALITY FOR SUCH CREATION, AS THE LOCAL LEGISLATIVE BODY DEEMS APPROPRIATE.

2. AN INDIVIDUAL SHALL SUBMIT A DETAILED PLAN SETTING FORTH ARCHITECTURAL DESIGN CHARACTERISTICS SUCH AS, BUT NOT LIMITED TO, NATURAL AREAS, AESTHETICS, AND OPEN SPACES WITHIN THE COMMUNITY. 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. AFTER NOTICE AND PUBLIC HEARING BY THE GOVERNING BOARD OF SUCH MUNICIPALITY, REGARDING A PROPOSED CREATION AND RECOGNITION OF AN ARCHITECTURAL DISTRICT, SUCH BOARD SHALL DETERMINE WHETHER TO RECOGNIZE AND ESTABLISH SUCH DISTRICT AND PRESERVE THE QUALITIES IT DEEMS QUALIFIES AS SUCH DISTRICT.

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

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4. THE GOVERNING BOARD OF THE MUNICIPALITY IN WHICH AN ARCHITECTURAL DISTRICT IS CREATED AND RECOGNIZED, PURSUANT TO SUBDIVISION THREE OF THIS SECTION, SHALL DETERMINE THE ENTITY WHO SHALL ENFORCE THE PRESERVATION OF SUCH DISTRICT.

S 3. This act shall take effect immediately.