

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:

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

4 HISTORIC PRESERVATION AND ARCHITECTURAL DISTRICTS

5 S 2. The general municipal law is amended by adding a new section
6 119-ddd to read as follows:

7 S 119-DDD. ARCHITECTURAL DISTRICTS. IN ADDITION TO EXISTING POWERS AND
8 AUTHORITIES TO REGULATE BY PLANNING OR ZONING LAWS, HISTORIC PRESERVA-
9 TION LAWS AND REGULATIONS OR BY LOCAL LAWS AND REGULATIONS FOR THE
10 CREATION OF DISTRICTS, THE LEGISLATIVE BODY OF A CITY WITH A POPULATION
11 OF ONE MILLION OR MORE, SHALL:

12 1. RECOGNIZE AND ESTABLISH AN ARCHITECTURAL DISTRICT OR COMMISSION
13 WITH SUCH POWERS AS ARE NECESSARY TO CARRY OUT ALL OR ANY OF THE AUTHOR-
14 ITY POSSESSED BY THE MUNICIPALITY FOR SUCH CREATION, AS THE LOCAL LEGIS-
15 LATIVE BODY DEEMS APPROPRIATE.

16 2. AN INDIVIDUAL SHALL SUBMIT A DETAILED PLAN SETTING FORTH ARCHITEC-
17 TURAL DESIGN CHARACTERISTICS SUCH AS, BUT NOT LIMITED TO, NATURAL AREAS,
18 AESTHETICS, AND OPEN SPACES WITHIN THE COMMUNITY. SUCH PLAN SHALL
19 INCLUDE A RENDERING, DRAWING, OR SKETCH PREPARED TO SPECIFICATIONS WHICH
20 SHOWS THE ARRANGEMENT, LAYOUT AND DESIGN OF THE PROPOSED ARCHITECTURAL
21 DISTRICT AND SHALL BE REVIEWED PURSUANT TO SUBDIVISION THREE OF THIS
22 SECTION.

23 3. AFTER NOTICE AND PUBLIC HEARING BY THE GOVERNING BOARD OF SUCH
24 MUNICIPALITY, REGARDING A PROPOSED CREATION AND RECOGNITION OF AN ARCHI-
25 TECTURAL DISTRICT, SUCH BOARD SHALL DETERMINE WHETHER TO RECOGNIZE AND
26 ESTABLISH SUCH DISTRICT AND PRESERVE THE QUALITIES IT DEEMS QUALIFIES AS
27 SUCH DISTRICT.

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

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

5 S 3. This act shall take effect immediately.