

STATE OF NEW YORK

7820

2019-2020 Regular Sessions

IN ASSEMBLY

May 23, 2019

Introduced by M. of A. FALL -- read once and referred to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to requiring homeless shelters to comply with the uniform land use review procedure

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 21-324 to read as follows:

3 § 21-324 Uniform land use review procedure. a. Notwithstanding any
4 other provision of law to the contrary, the department shall establish a
5 process for determining if a proposal for a homeless shelter is subject
6 to the uniform land use review procedure set forth in section one
7 hundred ninety-seven-c of the charter.

8 b. If, pursuant to such process, the department determines that a
9 proposed shelter is subject to the uniform land use review procedure set
10 forth in section one hundred ninety-seven-c of the charter, the depart-
11 ment shall prepare an application for such shelter to be reviewed pursu-
12 ant to such procedure. Any request for a shelter that is subject to the
13 uniform land use review procedure shall not be approved unless the
14 application for such shelter submitted in accordance with section one
15 hundred ninety-seven-c of the charter is approved pursuant to chapter
16 eight of the charter.

17 c. The department shall:

18 1. publish a public notice of the placement of such shelter online and
19 in the city record at least one hundred twenty days prior to such place-
20 ment;

21 2. send notice of such shelter by mail and electronic mail to the
22 community board for the community district in which the shelter is
23 located, council member representing the council district in which the
24 shelter is located, and borough president representing the borough in

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

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1 which the shelter is located at least one hundred twenty days prior to
2 such placement;

3 3. conduct at least two public hearings on such requested shelter
4 pursuant to the procedures set forth in this subdivision. Such public
5 hearings shall occur within the one hundred twenty-day notice period
6 prior to the placement of such shelter;

7 4. require that public hearings shall be held in the community
8 district in which the property is located; and

9 5. prepare and post online a summary of public comments received at
10 such hearings, along with responses to such comments.

11 d. This section shall not apply to the placement of shelters during a
12 national, state, or local state of emergency, in which case, such shel-
13 ter may be placed upon notice provided to the department. The department
14 upon receiving such notice shall publish a public notice of the place-
15 ment of such shelter online and in the city record.

16 § 2. This act shall take effect on the ninetieth day after it shall
17 have become a law. Effective immediately, the addition, amendment and/or
18 repeal of any rule or regulation necessary for the implementation of
19 this act on its effective date are authorized to be made and completed
20 on or before such effective date.