

STATE OF NEW YORK

49

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. BURDICK, LEVENBERG, GONZALEZ-ROJAS, EPSTEIN --
read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, the general city law, the town law and the village law, in relation to requiring municipalities to determine whether it is in the public interest to create and periodically update a comprehensive plan to ensure that it addresses housing needs

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Subdivisions 2, 8, 9 and 10 of section 239-d of the general
2 municipal law, as added by chapter 451 of the laws of 1997, are amended
3 to read as follows:
- 4 2. Preparation. The county legislative body, or by resolution of such
5 body the planning board or a special board, [~~may~~] shall determine wheth-
6 er it is in the public interest to prepare a proposed county comprehen-
7 sive plan [~~and~~], amendments thereto and updates thereof to ensure that
8 it addresses housing needs. In the event the planning board or special
9 board is directed to prepare a proposed comprehensive plan or amendment
10 thereto or update thereof to ensure that it addresses housing needs,
11 such board shall, by resolution, recommend such proposed plan or amend-
12 ment to the county legislative body.
- 13 8. Filing of adopted county comprehensive plan. The adopted county
14 comprehensive plan [~~and~~], any amendments thereto and all updates thereof
15 shall be filed in the office of the county clerk or register and a copy
16 thereof filed in the office of the county planning board, with the
17 secretary of state, as well as with the clerk of each municipality with-
18 in the county.
- 19 9. Effect of adoption. (a) All county land acquisitions and public
20 improvements, including those identified in the county official map

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

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1 adopted or amended pursuant to this article, shall be in accordance with
2 a county comprehensive plan[~~, if one exists~~].

3 (b) All plans for capital projects of a municipality or state govern-
4 mental agency on land included in the county comprehensive plan adopted
5 pursuant to this section shall take such plan into consideration.

6 10. Periodic review. The county legislative body shall provide, as a
7 component of such proposed county comprehensive plan, the maximum inter-
8 vals at which the adopted plan shall be reviewed; provided, however,
9 that the county legislature shall determine whether it is in the public
10 interest to update the comprehensive plan at least once in every ten-
11 year period to ensure that it addresses housing needs.

12 § 2. Subdivisions 5, 11 and 13 of section 28-a of the general city
13 law, as added by chapter 418 of the laws of 1995, are amended to read as
14 follows:

15 5. Preparation. The legislative body of the city, or by resolution of
16 such body, the planning board or a special board, [~~may~~] shall determine
17 whether it is in the public interest to prepare a proposed city compre-
18 hensive plan [~~and~~], amendments thereto and updates thereof to ensure
19 that it addresses housing needs. In the event the planning board or
20 special board is directed to prepare a proposed comprehensive plan or
21 amendment thereto or update thereof to ensure that it addresses housing
22 needs, such board shall, by resolution, recommend such proposed plan or
23 amendment to the legislative body of the city.

24 11. Periodic review. The legislative body of the city shall provide,
25 as a component of such proposed comprehensive plan, the maximum inter-
26 vals at which the adopted plan shall be reviewed; provided, however,
27 that the legislative body of the city shall determine whether it is in
28 the public interest to update the comprehensive plan at least once in
29 every ten-year period to ensure that it addresses housing needs.

30 13. Filing of city comprehensive plan. The adopted city comprehensive
31 plan [~~and~~], any amendments thereto and all updates thereof shall be
32 filed in the office of the city clerk and a copy thereof shall be filed
33 in the office of the county planning agency.

34 § 3. Subdivisions 4, 10 and 12 of section 272-a of the town law, as
35 added by chapter 418 of the laws of 1995, are amended to read as
36 follows:

37 4. Preparation. The town board, or by resolution of such town board,
38 the planning board or a special board, [~~may~~] shall determine whether it
39 is in the public interest to prepare a proposed town comprehensive plan
40 [~~and~~], amendments thereto and updates thereof to ensure that it
41 addresses housing needs. In the event the planning board or special
42 board is directed to prepare a proposed comprehensive plan or amendment
43 thereto or update thereof to ensure that it addresses housing needs,
44 such board shall, by resolution, recommend such proposed plan or amend-
45 ment to the town board.

46 10. Periodic review. The town board shall provide, as a component of
47 such proposed comprehensive plan, the maximum intervals at which the
48 adopted plan shall be reviewed; provided, however, that the town board
49 shall determine whether it is in the public interest to update the
50 comprehensive plan at least once in every ten-year period to ensure that
51 it addresses housing needs.

52 12. Filing of town comprehensive plan. The adopted town comprehensive
53 plan [~~and~~], any amendments thereto and all updates thereof shall be
54 filed in the office of the town clerk and a copy thereof shall be filed
55 in the office of the county planning agency.

1 § 4. Subdivisions 4, 10 and 12 of section 7-722 of the village law,
2 as added by chapter 418 of the laws of 1995, are amended to read as
3 follows:

4 4. Preparation. The village board of trustees, or by resolution of
5 such village board of trustees, the planning board or a special board,
6 [~~may~~] shall determine whether it is in the public interest to prepare a
7 proposed village comprehensive plan [~~and~~], amendments thereto and
8 updates thereof to ensure that it addresses housing needs. In the event
9 the planning board or special board is directed to prepare a proposed
10 comprehensive plan or amendment thereto or update thereof to ensure that
11 it addresses housing needs, such board shall, by resolution, recommend
12 such proposed plan or amendment to the village board of trustees.

13 10. Periodic review. The village board shall provide, as a component
14 of such proposed comprehensive plan, the maximum intervals at which the
15 adopted plan shall be reviewed; provided, however, that the village
16 board of trustees shall determine whether it is in the public interest
17 to update the comprehensive plan at least once in every ten-year period
18 to ensure that it addresses housing needs.

19 12. Filing of village comprehensive plan. The adopted village compre-
20 hensive plan [~~and~~], any amendments thereto and all updates thereof shall
21 be filed in the office of the village clerk and a copy thereof shall be
22 filed in the office of the county planning agency.

23 § 5. Article 3 of the general city law is amended by adding a new
24 article heading to read as follows:

25 ZONING AND PLANNING

26 § 6. Any municipality that does not have a comprehensive plan for
27 such municipality shall develop one no later than January 1, 2030 if it
28 is determined to be in the public interest. Any municipality that has a
29 comprehensive plan for such municipality that was developed more than
30 ten years prior to the effective date of this act shall revise and
31 update such comprehensive plan to ensure that it addresses housing needs
32 no later than January 1, 2030.

33 § 7. This act shall take effect immediately.