§ 489-ggggggg. Temporary commercial incentive area boundary commission; designation of special commercial abatement areas; excluded and renovation areas. 1. Commission members. Any city enacting a local law pursuant to section four hundred eighty-nine-bbbbbb of this title shall establish a temporary commercial incentive area boundary commission to consist of a deputy mayor designated by the mayor, the commissioner of finance, the chair of the city planning commission, the director of management and budget, the borough presidents, the speaker of the city council and a public member appointed by the mayor to serve at the mayor's pleasure. Each member except the public member shall have the power to designate an alternate to represent him or her at commission meetings to exercise all the rights and powers of such member, including the right to vote, provided that such designation be made in writing to the chair of the commission. The deputy mayor designated by the mayor shall serve as commission chair. Each borough president shall be entitled to vote only on the designation of areas within his or her borough. Commission members who shall be officers or employees of such city shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties. Any other commission member shall receive as exclusive compensation for his or her services one hundred dollars per diem, or another reasonable amount as determined by the deputy mayor designated by the mayor, provided, however, that the total compensation paid to any such member shall not exceed twelve hundred dollars for any calendar year, or another reasonable amount determined by the deputy mayor designated by the mayor. A majority of members of such commission entitled to vote on a matter shall constitute a quorum for such issue. Decisions shall be made by majority vote of those present entitled to vote on a matter. Notwithstanding any other law to the contrary, no officer or employee of the state or any of its subdivisions or any public benefit corporation shall be deemed to have forfeited his or her office or employment or any benefits provided under the retirement and social security law or under any public retirement system maintained by the state or any of its subdivisions by reason of accepting membership on such commission.

2. Designation of special commercial abatement areas. (a) The commission shall meet in two thousand nine or two thousand fifteen and

at least once every five years thereafter to determine the boundaries of special commercial abatement areas which it is authorized, but not required, to designate pursuant to this section. The areas designated by the commission established pursuant to title two-D of this article in effect as of June thirtieth, two thousand eight shall remain in effect until the first taxable status date after the local legislative body approves a new designation pursuant to paragraph (d) of this subdivision or, if the local legislative body does not approve a new designation before January first, two thousand sixteen, then, for purposes of applications for special commercial abatement area benefits, the areas designated by the commission established pursuant to title two-D of this article in effect as of June thirtieth, two thousand eight shall remain in effect until December thirty-first, two thousand fifteen.

(a-1) Notwithstanding any provision of law to the contrary, beginning January first, two thousand twenty-six, Governor's Island shall be designated a special commercial abatement area for the purposes of this title, provided that such designation may be modified in whole or in part in accordance with the procedures set forth in this subdivision.

(b) In years when special commercial abatement areas are to be designated, no later than October first, the commission shall provide public notice of such designation by publishing a notice at least once in a newspaper of general circulation setting forth the proposed boundaries. Notice may also be provided electronically or in an electronic medium, such as a website, in a manner the commission determines to be appropriate. Notice must be provided not earlier than five nor later than fifteen days before the date of the commission's public hearing to hear all persons interested in the designation of the areas. A copy of the notice shall be forwarded to the local legislative body and each community board of the city.

(c) The commission shall make such designation, and notify the local legislative body of such designation, not later than November first of each year when special commercial abatement areas are to be designated.

(d) Within thirty days after the first stated meeting of the local legislative body following the receipt of notice of such designation, the local legislative body may, by majority vote, disapprove such designation. If, within such thirty-day period, the local legislative body fails to act or fails to act by the required vote, the local

legislative body shall be deemed to have approved such designation. Such designation shall take effect on the first taxable status date after the local legislative body approves such designation and shall remain in effect until the first taxable status date after the local legislative body approves such new designation.

(e) In the city of New York, the commission may designate any area other than the area lying south of the center line of 96th Street in the borough of Manhattan not including Governor's Island, to be a special commercial abatement area if it determines that market conditions in the area are such that the availability of a special abatement is required in order to encourage commercial construction work in such area. In making such determination, the commission shall consider, among other factors, the existence in such area of a special need for commercial and job development, high unemployment, economic distress or unusually large numbers of vacant, underutilized, unsuitable or substandard structures, or other substandard, unsanitary, deteriorated or deteriorating conditions, with or without tangible blight; provided that, however, in making such determination with respect to Governor's Island, the commission shall consider, among other factors, the density of existing developments and the nature and purpose of planned developments on Governor's Island, and the development of emerging industries in the city.

(f) If the commission fails to meet in two thousand fifteen, all new applications for special commercial abatement area benefits postmarked after December thirty-first, two thousand fifteen shall be deemed applications for regular area benefits.

3. Renovation areas. In the city of New York, the following areas of Manhattan shall be designated as renovation areas. Except as provided in paragraph (f) of subdivision three of section four hundred eighty-nine-bbbbbb of this title, new commercial construction in a renovation area shall not be eligible for abatement benefits. Renovation areas shall be limited to:

(a) the area in the borough of Manhattan bounded by Murray Street on the north starting at the intersection of West Street and Murray Street; running easterly along the center line of Murray Street; connecting through City Hall Park with the center line of Frankfort Street and

running easterly along the center line of Frankfort and Dover Streets to the intersection of Dover Street and South Street; running southerly along the center line of South Street to Peter Minuit Plaza; connecting through Peter Minuit Plaza to the center line of State Street and running northwesterly along the center line of State Street to the intersection of State Street and Battery Place; running westerly along the center line of Battery Place to the intersection of Battery Place and West Street; and running northerly along the center line of West Street to the intersection of West Street and Murray Street;

(b) the area in the borough of Manhattan defined as the special garment center district by chapter one of article XII of the zoning resolution of the city of New York; and

(c) the area in the borough of Manhattan south of the center line of 59th street, other than: (i) the areas designated renovation areas by paragraphs (a) and (b) of this subdivision, or (ii) as of January first, two thousand twenty-six, Governor's Island.

4. Commercial exclusion area. Except as provided in paragraph (f) of subdivision three of section four hundred eighty-nine-bbbbbb of this title, any area in the borough of Manhattan lying south of the center line of 96th Street, other than: (a) the areas designated renovation areas by subdivision three of this section and (b) as of January first, two thousand twenty-six, Governor's Island, shall be a commercial exclusion area. Commercial construction projects in the commercial exclusion area shall not be eligible to receive tax abatements pursuant to this title.

5. Eligible industrial construction projects may receive tax abatements pursuant to paragraphs (b) and (e) of subdivision three of section four hundred eighty-nine-bbbbbb of this title in any area of the city of New York.