



Legislation Text

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Int. No. 791

By Council Members Rosenthal, Mendez, Chin, Gentile, Eugene, Cohen, Johnson, Rodriguez, Koslowitz, Torres, Cumbo, Lancman, King, Levine, Cabrera, Rose and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to requiring Community Board referral of certificate of appropriateness applications and subsequent modifications

Be it enacted by the Council as follows:

Section 1. Section 25-308 of chapter 3 of title 25 of the administrative code of the city of New York is amended as follows:

Procedure for determination of request for certificate of appropriateness. a. The commission shall refer all filed applications for certificates of appropriateness, including all related materials, to all affected community boards. The commission shall hold a public hearing on each request for a certificate of appropriateness no less than forty-five days and no more than seventy-five days after referring the application to affected community boards. Except as otherwise provided in section 25-309 of this chapter or subdivision b of this section, the commission shall make its determination as to such request within ninety days after filing thereof.

b. Any modification to an application for certificate of appropriateness made after the commission holds a public hearing as required under subdivision a of this section that would (1) change the footprint of the proposed improvement, (2) increase the height of the proposed improvement, or (3) significantly change the exterior design elements or materials, shall be referred to all of the affected community boards. The commission shall further notify the councilmember for the district in which the property is located of any such modification. The commission shall not take any action on any such application prior to forty-five days after

the date of referring such modification. If an additional community board referral is required under this subdivision, the commission shall have forty-five days to make its determination in addition to the ninety days permitted by subdivision a of this section. This subdivision shall not apply to a request for a certificate of appropriateness authorizing demolition, alterations or reconstruction on ground of insufficient return under Section 25-309 of this chapter. This subdivision shall only require one review of modifications by affected community boards.

c. For all applications for certificates of appropriateness that are modified after the additional community board referral required under subdivision b of this section, the commission shall notify and provide a written determination of the final action on such application, including an explanation of modifications, to all affected community boards and the councilmember for the district in which the property is located.

§2. This local law shall take effect immediately.

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