



Legislation Text

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Int. No. 785

By Council Members Sanchez, Restler and Avilés (by request of the Brooklyn Borough President)

A Local Law to amend the New York city charter, in relation to tracking mitigation strategies in final environmental impact statements as part of the uniform land use review process

Be it enacted by the Council as follows:

Section 1. Section 206 of the New York city charter, as added by local law number 175 for the year 2016, is amended to read as follows:

§ 206. Tracking of commitments and mitigation measures and conditions identified under the city environmental quality review process.

a. For the purposes of this section, the following terms have the following meanings:

Block. The term "block" has the meaning given to that term in section 12-10 of the zoning resolution.

Commitment. The term “commitment” means:

1. any commitment made by letter by the mayor or a representative designated by the mayor to the council or a council member that relates to a covered land use application on which the city or a not-for-profit corporation of which a majority of its members are appointed by the mayor is either the applicant or co-applicant; or

2. any commitment made by letter by the mayor or a representative designated by the mayor to the council or a council member for which a funding amount of one \$1,000,000 or more is set forth in the letter establishing such commitment in relation to a covered land use application on which neither the city nor a not-for-profit corporation of which a majority of its members are appointed by the mayor is either the applicant or co-applicant.

Covered land use application. The term “covered land use application” means any land use application:

1. that the city planning commission has approved or approved with modifications for a matter described in paragraphs 1, 3, 4, 5, 6, 8, 10, or 11 of subdivision a of section 197-c or a change in the text of the zoning resolution pursuant to section 200 or 201;

2. for which a decision by the city planning commission has been approved or approved with modifications by the council pursuant to section 197-d and is not subject to further action pursuant to subdivisions e or f of such section; and

3. that involves at least four adjacent blocks of real property.

Condition. The term “condition” means any condition identified in a conditional negative declaration, issued in connection with a covered land use application.

Mitigation measure. The term “mitigation measure” means any mitigation measure that would eliminate or otherwise reduce a potential significant adverse impact identified in a final environmental impact statement, issued in connection with a covered land use application.

b. Such agency as the mayor shall designate shall establish and maintain:

1. a publicly accessible online searchable list of all commitments [described in this section] that relate to [an application that:

(1) the city planning commission has approved or approved with modifications for a matter described in paragraph one, three, four, five, six, eight, ten, or eleven of subdivision a of section one hundred ninety-seven-c or a change in the text of the zoning resolution pursuant to section two hundred or two hundred one;

(2) the commission decision has been approved or approved with modifications by the council pursuant to section one hundred ninety-seven-d and is not subject to further action pursuant to subdivision e or f of such section; and

(3) involves at least four adjacent blocks of real property.

c. Such list shall include all commitments made by letter by the mayor or a representative designated by

the mayor to the council or a council member that relate to an application described in subdivision b of this section on which the city or a not-for-profit corporation of which a majority of its members are appointed by the mayor is either the applicant or co-applicant.

d. Such list shall include any commitment made by letter by the mayor or a representative designated by the mayor to the council or a council member for which a funding amount of one million dollars or more is set forth in the letter establishing such commitment in relation to an application described in subdivision b of this section on which neither the city nor a not-for-profit corporation of which a majority of its members are appointed by the mayor is either the applicant or co-applicant.

e.] covered land use applications; and

2. a publicly accessible online searchable list of all mitigation measures and conditions that relate to covered land use applications.

c. 1. Within [thirty] 120 days of final council approval of a [commission decision described in this section] covered land use application, the designated agency shall submit to the speaker of the council and record on [such list] the list of commitments described in paragraph 1 of subdivision b of this section any commitment related to such covered land use application, including a description of each such commitment, the target commencement and completion dates, the application number, the agency [or agencies] responsible for implementation of such commitment, and any funding amount set forth in the letter establishing the commitment. The designated agency may include other information that it deems relevant.

[f. Beginning June 30, 2017, and annually thereafter] 2. Within 120 days of final council approval of a covered land use application, the designated agency shall submit to the speaker of the council and record on the list of mitigation measures and conditions described in paragraph 2 of subdivision b of this section any mitigation measures or conditions, including a description of each mitigation measure or condition, the target commencement and completion dates, the application number, and the agency responsible for implementation of such mitigation measure or condition. The designated agency may include other information that the agency

deems relevant.

d. 1. On or before June 30 of each year, the designated agency shall report to the mayor and the speaker of the council information relating to commitments that have been recorded pursuant to this section, including any changes to [information] the list of commitments described in paragraph 1 of subdivision [e] b that indicate progress toward the fulfillment of each such commitment and whether the commitment has been completed within the preceding year.

2. Beginning June 30, 2021, and annually thereafter, the designated agency shall report to the mayor and the speaker of the council information relating to mitigation measures and conditions that have been recorded pursuant to this section, including any changes to the list of mitigation measures and conditions described in paragraph 2 of subdivision b that indicate progress toward the fulfillment of each such mitigation measure or condition and whether the mitigation measure or condition has been completed or fulfilled within the preceding year.

§ 2. This local law takes effect 90 days after it becomes law.

Session 12
JHC
LS 8182
8/1/2022

Session 11
JHC
LS # 626
Int. 252-201812/29/2017

Session 10
JHC
LS # 9317
Int. 1786-2017