

# STATE OF NEW YORK

9228

## IN ASSEMBLY

February 16, 2024

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

AN ACT to amend the general city law, the town law, and the village law, in relation to requiring each town, village, and city to develop a housing action plan for everyone

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

1 Section 1. The general city law is amended by adding a new section 28  
2 to read as follows:

3 § 28. Housing action plan for everyone. 1. The legislative body of  
4 each city shall adopt a housing action plan for everyone to increase the  
5 amount of available housing in each such city. Each such housing action  
6 plan shall be updated no less than every five years prior to its  
7 adoption by a city.

8 2. Each such action housing plan shall consider, but not be limited  
9 to, the following factors:

10 (a) The infrastructure needs of each respective city.

11 (b) Available land for new housing construction.

12 (c) Potential opportunities to redevelop underutilized buildings for  
13 housing.

14 (d) The particular needs of each respective city, in relation to  
15 income levels, housing costs, and at-risk areas.

16 (e) Specific tools and strategies to address the particular needs of  
17 each respective city.

18 3. Each such housing action plan may consider, but shall not be limit-  
19 ed to, the following concepts:

20 (a) The legalization of accessory dwelling units.

21 (b) Authorization of transit-oriented development zones.

22 (c) Elimination or reduction of parking requirements.

23 (d) Streamlining permit processes, such as environmental and discre-  
24 tionary review requirements.

25 (e) Authorizing as-of-right and mixed-use development goals.

26 4. The amount of new housing contemplated in each such housing action  
27 plan, as determined by the legislative body of each city, shall consid-

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

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er, but not be limited to, the area median income (AMI) calculations set forth by the U.S. department of housing and urban development, which consists of the following five levels: (a) at or below thirty percent of the city's AMI; (b) between thirty-one percent and fifty percent of the city's AMI; (c) between fifty-one percent and sixty percent of the city's AMI; (d) between sixty-one percent and eighty percent of the city's AMI; and (e) between eighty-one percent and one hundred percent of the city's AMI.

5. (a) The planning board of each city, as established pursuant to section twenty-seven of this article, or a group appointed by the mayor and city council for this purpose, shall submit the completed housing action plan for everyone to the mayor and legislative body of each city for review and further recommendation. Such planning board may modify such housing plan to address any recommendations received from the mayor and legislative body.

(b) The planning board of each city, or a group appointed by the mayor and city council for this purpose, may coordinate with local planning associations, non-profits, builders, realtors, housing councils, construction industry representatives, and/or other community stakeholders in the development of such housing action plan.

6. (a) Each city shall post a copy of the finalized housing action plan on each such city's website and file such housing action plan with the division of housing and community renewal.

(b) Each city shall hold at least one public hearing on such housing action plan within thirty days of the completion of such housing action plan.

7. Regional economic development offices, as established by article eleven of the economic development law, shall assist municipalities by making them aware of grants and funding options that may be available for implementing the housing action plan. Within twelve months of the effective date of this section, the enactment of the housing action plan for everyone by the legislative body of a city shall be completed. If such housing action plan is not completed within such time, a one-time, three-month extension to complete and finalize such plan may be granted, if the division of housing and community renewal confirms that such plan has been substantially completed.

§ 2. The town law is amended by adding a new section 272 to read as follows:

§ 272. Housing action plan for everyone. 1. The legislative body of each town shall adopt a housing action plan for everyone to increase the amount of available housing in each such town. Each such housing action plan shall be updated no less than every five years prior to its adoption by a town.

2. Each such action housing plan shall consider, but not be limited to, the following factors:

(a) The infrastructure needs of each respective town.

(b) Available land for new housing construction.

(c) Potential opportunities to redevelop underutilized buildings for housing.

(d) The particular needs of each respective town, in relation to income levels, housing costs, and at-risk areas.

(e) Specific tools and strategies to address the particular needs of each respective town.

3. Each such housing action plan may consider, but shall not be limited to, the following concepts:

(a) The legalization of accessory dwelling units.

1 (b) Authorization of transit-oriented development zones.

2 (c) Elimination or reduction of parking requirements.

3 (d) Streamlining permit processes, such as environmental and discre-  
4 tionary review requirements.

5 (e) Authorizing as-of-right and mixed-use development goals.

6 4. The amount of new housing contemplated in each such housing action  
7 plan, as determined by the legislative body of each town, shall consid-  
8 er, but not be limited to, the area median income (AMI) calculations set  
9 forth by the U.S. department of housing and urban development, which  
10 consists of the following five levels: (a) at or below thirty percent of  
11 the town's AMI; (b) between thirty-one percent and fifty percent of  
12 the town's AMI; (c) between fifty-one percent and sixty percent of the  
13 town's AMI; (d) between sixty-one percent and eighty percent of the  
14 town's AMI; and (e) between eighty-one percent and one hundred percent  
15 of the town's AMI.

16 5. (a) The planning board of each town, as established pursuant to  
17 section two hundred seventy-one of this article, or a group appointed by  
18 the town board for this purpose, shall submit the completed housing  
19 action plan for everyone to the town board of each town for review and  
20 further recommendation. Such planning board, or a group appointed by the  
21 town board for this purpose, may modify such housing plan to address any  
22 recommendations received from the town board.

23 (b) The planning board of each town, or a group appointed by the town  
24 supervisor and town board, may coordinate with local planning associ-  
25 ations, non-profits, builders, realtors, housing councils, construction  
26 industry representatives, and/or other community stakeholders in the  
27 development of such housing action plan.

28 6. (a) Each town shall post a copy of the finalized housing action  
29 plan on each such town's website and file such housing action plan with  
30 the division of housing and community renewal.

31 (b) Each town shall hold at least one public hearing on such housing  
32 action plan within thirty days of the completion of such housing action  
33 plan.

34 7. Regional economic development offices, as established by article  
35 eleven of the economic development law, shall assist municipalities by  
36 making them aware of grants, and funding options that may be available  
37 for implementing the housing action plan. Within twelve months of the  
38 effective date of this section, the enactment of the housing action plan  
39 for everyone by the legislative body of a town shall be completed. If  
40 such housing action plan is not completed within such time, a one-time,  
41 three-month extension to complete and finalize such plan may be granted,  
42 if the division of housing and community renewal confirms that such plan  
43 has been substantially completed.

44 § 3. The village law is amended by adding a new section 7-720 to read  
45 as follows:

46 § 7-720 Housing action plan for everyone. 1. The legislative body of  
47 each village shall adopt a housing action plan for everyone to increase  
48 the amount of available housing in each such village. Each such housing  
49 action plan shall be updated no less than every five years prior to its  
50 adoption by a village.

51 2. Each such action housing plan shall consider, but not be limited  
52 to, the following factors:

53 (a) The infrastructure needs of each respective village.

54 (b) Available land for new housing construction.

55 (c) Potential opportunities to redevelop underutilized buildings for  
56 housing.

1 (d) The particular needs of each respective village, in relation to  
2 income levels, housing costs, and at-risk areas.

3 (e) Specific tools and strategies to address the particular needs of  
4 each respective village.

5 3. Each such housing action plan may consider, but shall not be limit-  
6 ed to, the following concepts:

7 (a) The legalization of accessory dwelling units.

8 (b) Authorization of transit-oriented development zones.

9 (c) Elimination or reduction of parking requirements.

10 (d) Streamlining permit processes, such as environmental and discre-  
11 tionary review requirements.

12 (e) Authorizing as-of-right and mixed-use development goals.

13 4. The amount of new housing contemplated in each such housing action  
14 plan, as determined by the legislative body of each village, shall  
15 consider, but not be limited to, the area median income (AMI) calcu-  
16 lations set forth by the U.S. department of housing and urban develop-  
17 ment, which consists of the following five levels: (a) at or below thir-  
18 ty percent of the village's AMI; (b) between thirty-one percent and  
19 fifty percent of the village's AMI; (c) between fifty-one percent and  
20 sixty percent of the village's AMI; (d) between sixty-one percent and  
21 eighty percent of the village's AMI; and (e) between eighty-one  
22 percent and one hundred percent of the village's AMI.

23 5. (a) The planning board of each village, as established pursuant to  
24 section 7-722 of this article, or a group appointed by the village board  
25 for this purpose, shall submit the completed housing action plan for  
26 everyone to the village board of each village for review and further  
27 recommendation. Such planning board, or a group appointed by the village  
28 board for this purpose, may modify such housing plan to address any  
29 recommendations received from the village board.

30 (b) The planning board of each village or a group appointed by the  
31 village board for this purpose, may coordinate with local planning asso-  
32 ciations, non-profits, builders, realtors, housing councils,  
33 construction industry representatives, and/or other community stakehold-  
34 ers in the development of such housing action plan.

35 6. (a) Each village shall post a copy of the finalized housing action  
36 plan on each such village's website and file such housing action plan  
37 with the division of housing and community renewal.

38 (b) Each village shall hold at least one public hearing on such hous-  
39 ing action plan within thirty days of the completion of such housing  
40 action plan.

41 7. Regional economic development offices, as established by article  
42 eleven of the economic development law, shall assist municipalities by  
43 making them aware of grants and funding options that may be available  
44 for implementing the housing action plan. Within twelve months of the  
45 effective date of this section, the enactment of the housing action plan  
46 for everyone by the legislative body of a village shall be completed. If  
47 such housing action plan is not completed within such time, a one-time,  
48 three-month extension to complete and finalize such plan may be granted,  
49 if the division of housing and community renewal confirms that such plan  
50 has been substantially completed.

51 § 4. This act shall take effect immediately.