STATE OF NEW YORK

9346

IN SENATE

May 13, 2024

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

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:

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

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

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

(a) The infrastructure needs of each respective city.

(b) Available land for new housing construction.

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

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

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

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

(a) The legalization of accessory dwelling units.

(b) Authorization of transit-oriented development zones.

(c) Elimination or reduction of parking requirements.

(d) Streamlining permit processes, such as environmental and discretionary review requirements.

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

4. The amount of new housing contemplated in each such housing action 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.

(b) Authorization of transit-oriented development zones.

(c) Elimination or reduction of parking requirements.

(d) Streamlining permit processes, such as environmental and discretionary review requirements.

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

4. The amount of new housing contemplated in each such housing action plan, as determined by the legislative body of each town, shall consider, 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 town's AMI; (b) between thirty-one percent and fifty percent of the town's AMI; (c) between fifty-one percent and sixty percent of the town's AMI; (d) between sixty-one percent and eighty percent of the town's AMI; and (e) between eighty-one percent and one hundred percent of the town's AMI.

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

(b) The planning board of each town, or a group appointed by the town supervisor and town board, 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 town shall post a copy of the finalized housing action plan on each such town's website and file such housing action plan with the division of housing and community renewal.

(b) Each town 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 town 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.

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

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

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

(a) The infrastructure needs of each respective village.

(b) Available land for new housing construction.

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

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

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

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

(a) The legalization of accessory dwelling units.

(b) Authorization of transit-oriented development zones.

(c) Elimination or reduction of parking requirements.

(d) Streamlining permit processes, such as environmental and discretionary review requirements.

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

4. The amount of new housing contemplated in each such housing action plan, as determined by the legislative body of each village, shall consider, 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 village's AMI; (b) between thirty-one percent and fifty percent of the village's AMI; (c) between fifty-one percent and sixty percent of the village's AMI; (d) between sixty-one percent and eighty percent of the village's AMI; and (e) between eighty-one percent and one hundred percent of the village's AMI.

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

(b) The planning board of each village or a group appointed by the village board 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 village shall post a copy of the finalized housing action plan on each such village's website and file such housing action plan with the division of housing and community renewal.

(b) Each village 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 village 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.

§ 4. This act shall take effect immediately.