STATE OF NEW YORK

8903

IN ASSEMBLY

January 26, 2024

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

AN ACT to amend the general municipal law, the general city law, the town law and the village law, in relation to requiring municipalities to include a housing needs assessment using the HUD median income calculations in their comprehensive plans; and to amend the general city law, in relation to making a technical correction

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

Section 1. Paragraphs (o) and (p) of subdivision 1 of section 239-d of the general municipal law, as added by chapter 451 of the laws of 1997, are amended and a new paragraph (q) is added to read as follows:

(o) Any and all other items which are consistent with the protection, enhancement, orderly growth and development of the county; [~~and~~]

(p) Consideration of cumulative impacts of development, and other issues which promote compliance with the state environmental quality review act under article eight of the environmental conservation law and its implementing regulations[~~.~~]**; and**

(q) A housing needs assessment to establish a data-based foundation for the creation and preservation of housing in the county, utilizing the U.S. department of housing and urban development median income calculations. Such assessment must address housing needs within five levels as follows: (i) at or below thirty percent of the county's AMI (area median income); (ii) between thirty-one percent and fifty percent of the county's AMI; (iii) between fifty-one percent and sixty percent of the county's AMI; (iv) between sixty-one percent and eighty percent of the county's AMI; and (v) between eighty-one percent and one hundred percent of the county's AMI.

§ 2. Subdivision 4 of section 28-a of the general city law is amended by adding a new paragraph (p) to read as follows:

(p) A housing needs assessment to establish a data-based foundation for the creation and preservation of housing in the city, utilizing the U.S. department of housing and urban development median income calculations. Such assessment must address affordable housing needs within

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

LBD11918-03-4

five levels as follows: (i) at or below thirty percent of the city's AMI (area median income); (ii) between thirty-one percent and fifty percent of the city's AMI; (iii) between fifty-one percent and sixty percent of the city's AMI; (iv) between sixty-one percent and eighty percent of the city's AMI; and (v) between eighty-one percent and one hundred percent of the city's AMI.

§ 3. Subdivision 3 of section 272-a of the town law is amended by adding a new paragraph (p) to read as follows:

(p) A housing needs assessment to establish a data-based foundation for the creation and preservation of housing in the town, utilizing the U.S. department of housing and urban development median income calculations. Such assessment must address housing needs within five levels of affordability as follows: (i) at or below thirty percent of the town's AMI (area median income); (ii) between thirty-one percent and fifty percent of the town's AMI; (iii) between fifty-one percent and sixty percent of the town's AMI; (iv) between sixty-one percent and eighty percent of the town's AMI; and (v) between eighty-one percent and one hundred percent of the town's AMI.

§ 4. Subdivision 3 of section 7-722 of the village law is amended by adding a new paragraph (p) to read as follows:

(p) A housing needs assessment to establish a data-based foundation for the creation and preservation of housing in the village, utilizing the U.S. department of housing and urban development median income calculations. Such assessment must address housing needs within five levels as follows: (i) at or below thirty percent of the village's AMI (area median income); (ii) between thirty-one percent and fifty percent of the village's AMI; (iii) between fifty-one percent and sixty percent of the village's AMI; (iv) between sixty-one percent and eighty percent of the village's AMI; and (v) between eighty-one percent and one hundred percent of the village's AMI.

§ 5. Article 3 of the general city law is amended by adding a new article heading to read as follows:

ZONING AND PLANNING

§ 6. This act shall take effect immediately.