

STATE OF NEW YORK

9074

IN SENATE

April 16, 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 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:

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

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

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

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

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

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

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

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

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

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

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

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

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

33 **ZONING AND PLANNING**

34 § 6. This act shall take effect immediately.