

May 9, 1997

ADOPTED 6/17/97

AFFORDABLE HOUSING POLICY FOR THE VILLAGE OF HASTINGS ON HUDSON

I. PREAMBLE AND PURPOSE

The Village Board of Trustees finds that current prices of housing in Hastings on Hudson are too expensive for individuals and families of modest means to afford as evidenced by recent sales data and by Census findings.

The Village Board is therefore concerned about:

1. Shrinkage in the volunteer pool for fire and ambulance patrols and for civic and school organizations due to the loss of young families (the typical volunteers). Fewer volunteers mean a lessening in the sense of responsibility for community. Ultimately the loss of these volunteers would result in higher taxes to cover the cost of hiring patrols.
2. Diversity of people of which Hastings has been proud will diminish. Providing a continuing link to Hastings' tradition as a mixed community will strengthen one of the reasons that Hastings has proven attractive to home buyers.
3. Links with continuing traditions will be lost if Hastings children cannot afford to return or seniors cannot afford to remain. The board believes that the community is strengthened by a continuity of generations and stability of families.

To review and report on affordable housing in Hastings the Village Board of Trustees has established an Affordable Housing Committee.

The Committee based on its findings has recommended the adoption of a village policy for the creation and maintenance of affordable units and the establishment of a not for profit corporation to promote the controlled development of affordable housing and its future regulation.

The Board of Trustees finds on the basis of past experience that affordable housing is a need in Hastings, particularly for those on whom the community depends for many services; and that the creation of well-sited , attractive affordable housing to meet this need will provide a public benefit to Hastings.

It is the purpose of this Policy to provide a framework within which the Village can carry out the intent to encourage and foster the creation and maintenance of attractive, well sited affordable housing to meet the need.

II. DEFINITION

1. An Affordable housing unit, for sale or rental, is a unit which is affordable to a household with

a total income which does not exceed 80% of Westchester County median household income as established yearly by the Department of Housing and Urban Development (HUD)

For 1997 these figures were as follows:

One person family	\$ 40,096
Two person family	45,824
Three person family	55,552
Four person family	57,280
Five person family	61,862
Six person family	66,445

The Village Board at the request of the Affordable Housing Board (or Corporation) may vary the above limits up to 15% increases, if and when the Board finds that the incomes of households targeted by this policy who apply for the proposed units exceed the above limits. Furthermore, it is the task of the Affordable Housing Board (or Corporation) to review these figures annually and to advise on appropriate adjustments.

2. The annual rental cost of an affordable unit shall not exceed 33% of an eligible household's income; for home owners the sum of principal, interest, taxes and insurance (PITI) and common charges as applicable shall not exceed 33% of said income.

3. For definition of total family income see section 494 2(a) of the Village of Hastings Zoning Code.

III. WAYS TO ACHIEVE AFFORDABLE HOUSING

It is the policy of the Village in fulfilling its goal to foster the creation and maintenance of affordable housing, to utilize one or more of the following means, in appropriate cases, and after all investigation and legal procedures that may be necessary or appropriate have been made. It will be the policy of the Village to work cooperatively with developers, in accessing governmental and other programs, funds and other resources and to enlist cooperation in seeing how a particular development can help meet the aims of this Policy.

1. Density Bonus

In new multifamily developments or in single family cluster development where the Village Board may in appropriate cases and pursuant to its policy as stated above permit a density bonus where a significant number of affordable units will be provided.

2. Zoning Changes

Where a site is considered for rezoning from a lower density residential district to a higher density residential district or from an industrial district to a high density residential district the Village Board may in appropriate cases require that at least 10% of the units be affordable.

Where the new district already includes a public interest housing section, preference shall be given to said section.

3. Accessory Apartments

Use of accessory housing under Section 405 of the Zoning Code in a designated affordable housing project has the potential of creating affordable units with minimum zoning effects. Therefore, on adoption of the Affordable Housing Policy, The Village of Hastings Zoning Code, Sec. 405, subsection (2), Accessory Apartments, shall be amended to include provisions for affordable accessory apartments as stated in the following subsections.

a) One accessory affordable rental apartment will be permitted in a new affordable single family owner occupied home provided that the number of bedrooms in said apartment will not exceed one (1). All other requirements of Art. 4, Sec 405 of the Village of Hastings Zoning Code governing accessory apartments in Hastings shall apply, except that the floor area of the accessory apartment as % of total building area shall not exceed 33% and an accessory apartment permit shall not be required.

The Affordable Housing Corp. or, in the case of a private developer of affordable housing, said Corporation or developer shall submit plans to the Building Inspector who will submit these for review and public hearing by the Planning Board and for review by the Architectural Review Board prior to the issuance of the building permit.

b) Where a development of affordable homes is proposed for more than two homes, affordable accessory rental apartments shall be permitted in no more than a third of the units.

c) The limit set by the Zoning Code for the maximum number of accessory apartments in Hastings shall also apply to affordable accessory apartments.

d) All procedures and safeguards will be continued to ensure the owner-occupancy as required by Section 405.

4. The Village Board may use village owned land for the promotion of affordable housing. This may involve the conveyance of the land for use as an affordable housing site. An alternate method of utilizing Village-owned land could be the selling of such land and the earmarking of the proceeds toward an Affordable Housing Fund.

5. The Village Board may waive local development fees where affordable units are built by a not for profit corporation. The Village may waive such fees or portions thereof where a private developer includes affordable units in the development.

6. The Village will take steps to create an Affordable Housing Corporation to promote the controlled development of affordable housing and its future regulation, and to be a means with which to access available funding.

IV. PREFERENCE CATEGORIES

Among income eligible households preference for purchase or rent of affordable housing shall be given to those where the household to occupy the unit shall include a member in one of the categories below where the order of preference is from one to eight.

1. Volunteer Fire Company and Ambulance Corp members living in or serving Hastings.
2. Village of Hastings municipal employees.
3. Hastings UFSD (Greenburgh District 4) employees.
4. Households whose head of household or spouse is 65 yrs of age or older and is a resident of Hastings.
5. Households whose head of household or spouse is 30 yrs of age or younger and is a resident of Hastings.
6. Any other Hastings resident meeting income eligibility requirements.
7. Immediate family members of Hastings residents.
8. Other persons employed in Hastings.
9. All others

A Household renting an apartment in a single family owner occupied home has to be eligible according to income and has to be chosen from the preference list except that the owner shall participate in the choice. Leases shall not exceed a period of three years at which time the eligibility of the tenant will be reevaluated.

V. PERPETUATING AFFORDABILITY

It is the intent of this policy to perpetuate the affordability of the units throughout the life of the structures in which they are located to assure their availability to needy families and individuals in the village in the future. To this end the following will be required:

Resale

1. The resale price of affordable housing shall be the original purchase price paid by the owner increased by the Metropolitan consumer price index(CPI) from the date of original purchase to the date of sale plus the cost of purchasing and selling the unit.
2. **Resale procedure-** The owner of affordable housing shall first offer to sell the unit to the Affordable Housing Corporation or its designee. The Corporation shall calculate the resale price based on the above and will take into consideration, in its discretion, any significant improvement made to the property. Any resale must be subject to the deed restrictions set forth below.

3. Deed restrictions

Ownership units- The title to the unit shall be restricted so that, in the event of resale, the resale provisions set forth above will apply.

Rental units- The title to a development containing affordable housing rental units, shall be restricted so that, in the event of resale by the owner, the purchaser will maintain the provisions of the Rent Regulation Agreement as described below.

4. Rent Regulation and Lease Renewal

A Rent Regulation Agreement shall be entered into by the owner of a development containing rental affordable units prior to receiving a certificate of occupancy. This agreement shall be entered into the deed of the property. This agreement shall establish the amount of the initial rent, procedures for determining rent increases for leases of various terms using reliable indices, procedures for leasing to eligible tenants, procedures for renewing leases, means to protect the renter from eviction with change of ownership and other conditions necessary to effectuate the purposes of this section.

5. Improvement restrictions

An owner of an affordable housing unit shall not make any structural improvements and or changes to the unit without the approval of the Affordable Housing Corporation.

VI. ESTABLISHMENT OF AN AFFORDABLE HOUSING BOARD

The Affordable Housing Corporation shall be the Housing Board (unless otherwise decided by the Village Board).

The purpose of the Board (or corporation) is to properly administer the provisions of the Village of Hastings Housing Policy, so that its purpose and intent are realized. The Affordable Housing Board (Corporation) shall have the following responsibilities:

1. The annual review of the implementation of the Housing Policy.
2. Review of eligible incomes on a yearly basis.
3. Certification of eligibility of households applying for affordable units.
4. Maintenance of a list of eligible households.
5. Establishment of procedures for selecting candidates for housing from eligible households.