

**AFFH - Model Ordinance Provisions
November 2013**

Municipality	Town of Mamaroneck
Ordinance Adopted, Drafted	Adopted 11/20/13
WCPB Referral Letter Sent	11/26/2013
1. Definition of AFFH Unit	Consistent

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2 a). Required AFFH Unit Component	The required number of FAH's in a development shall be calculated as follows: # of dwelling units Required FAH's 1-4 None 5-14 1 If a development consists of fifteen or more dwelling units, no less than 10% of those units shall be FAH's. If multiplying the number of dwelling units by 10% results in a remainder of .5 or more, the number of FAH's shall be the next, higher whole number. The required FAH's shall be either "for Purchase" or Rental Affordable Housing Units or a combination of both.
2 b). Higher % on Lower Cost Sites	No provision
2 c). No Preferences	No provision
2 d). Provision to Target Workforce	No provision

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3. Incentives Above 10% for Creation of AFFH Units	No provision
4. Maximum Rent and Sales Price	Consistent
5. Time Period of Affordability	Consistent
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	No provision
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	Consistent
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	Consistent

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7 d). Single-Family Unit Appearance and Integration	Consistent
7 e). Single-Family Allowance for Reduced Finishes	Consistent
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Consistent
7 g). Multi-Family Allowance for Reduced Finishes	Consistent
8. Minimum Floor Area	Consistent

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9. Occupancy Standards	Consistent
10. Affirmative Marketing	Consistent
11. Resale Requirements	Consistent

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12. Lease Renewal Requirements: Option (a), Option (b), Option (c)	Consistent with 12a.
13. Administrative and Monitoring Agency	The County of Westchester is designated as the agency that will be responsible for administering the provisions of this section and determining compliance therewith.
14. (a). Expedited Project Review Process: Pre-Application meeting	Consistent
14. (b). Expedited Project Review Process: Meeting Schedule and Timeline	Consistent

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14. (c). Expedited Project Review Process: Calendar/Agenda Priority	No provision
Comments	

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Municipality	Town of Pound Ridge
Ordinance Adopted, Drafted	Adopted 5/2/13
WCPB Referral Letter Sent	5/1/2013
1. Definition of AFFH Unit	Consistent

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2 a). Required AFFH Unit Component	Within all residential developments of 10 or more dwelling units created by subdivision or site plan approval in the Town, no less than 10% of the total number of units must be created as affordable fair housing units. For example, one dwelling unit out of 10 approved units shall be an affordable fair housing dwelling. In the calculation of the required number of affordable fair housing dwellings in projects containing 30 or fewer dwelling units, when 10% of the total lots results in a fraction of a whole number, fractions of 0.6 or greater shall result in the creation of an additional affordable fair housing dwelling unit. In the calculation of the required number of affordable fair housing dwellings in projects containing more than 30 dwelling units, when 10% of the total lots results in a fraction of a whole number, said fraction shall result in the creation of an additional affordable fair housing dwelling unit.
2 b). Higher % on Lower Cost Sites	No provision
2 c). No Preferences	No provision
2 d). Provision to Target Workforce	No provision

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3. Incentives Above 10% for Creation of AFFH Units	<p>The Planning Board may, in its discretion, waive up to fifty percent (50%) of the recreation fee otherwise attributable to the creation of affordable fair housing dwelling units.</p> <p>Tax assessment. The limited rental income and/or sales value of the affordable fair housing units shall be taken into consideration by the Town Assessor in determining the full value basis for assessments on such units.</p>
4. Maximum Rent and Sales Price	Consistent
5. Time Period of Affordability	Consistent
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	No provision
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	Consistent
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	No provision

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7 d). Single-Family Unit Appearance and Integration	Consistent
7 e). Single-Family Allowance for Reduced Finishes	Consistent
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Consistent
7 g). Multi-Family Allowance for Reduced Finishes	Consistent
8. Minimum Floor Area	Consistent

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9. Occupancy Standards	<u># of Bedrooms</u>	<u>Min. # of Persons</u>	<u>Max. # of Persons</u>
	Efficiency	1	1
	1	1	2
	2	2	4
	3	3	6
4	4	8	
10. Affirmative Marketing	Consistent		
11. Resale Requirements	Consistent		

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12. Lease Renewal Requirements: Option (a), Option (b), Option (c)	Consistent with 12a.
13. Administrative and Monitoring Agency	The Town Board shall designate a board, commission or other organization to administer and monitor compliance with these regulations. If the affordable fair housing has a regulatory agreement regarding the affordable fair housing nature of the project with a state and/or federal agency, a copy of the annual audit(s) by the regulatory agency(ies) shall be submitted to the Town.
14. (a). Expedited Project Review Process: Pre-Application meeting	No provision
14. (b). Expedited Project Review Process: Meeting Schedule and Timeline	The various review and approval authorities involved with a project having an affordable fair housing dwelling unit component shall make every practicable effort to hold their meetings and/or hearings concurrently. Should the approval process extend beyond one year, an applicant for a project containing affordable fair housing dwelling units shall be entitled to at least one additional meeting per year with said review and approval authorities.

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14. (c). Expedited Project Review Process: Calendar/Agenda Priority	Consistent
Comments	

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Municipality	Village of Hastings-on-Hudson
Ordinance Adopted, Drafted	Adopted 1/8/13
WCPB Referral Letter Sent	Not referred; no letter.
1. Definition of AFFH Unit	<p><u>Affordable Housing Unit</u> - a for-purchase housing unit that must be sold to a household whose income does not exceed 80% of the AMI and for which the annual housing cost of a unit including common charges, principal, interest, taxes and insurance does not exceed 33% of 70% of the AMI, adjusted for household size, and that must be marketed in accordance with the requirements, policies and protocols established by the County of Westchester, as amended from time to time. A rental unit that must be leased to a household whose income does not exceed 60% of the AMI and for which the annual housing cost of the unit, defined as rent plus any tenant paid utilities, does not exceed 30% of 60% of the AMI, adjusted for household size, and that must be marketed in accordance with the requirements, policies and protocols established by the County of Westchester, as amended from time to time.</p> <p><u>Workforce Housing Unit</u> - a for-purchase housing unit that must be sold to a household whose income does not exceed 80% of the AMI and for which the annual housing cost of a unit including common charges, principal, interest, taxes and insurance does not exceed 33% of 70% of the AMI, adjusted for household size. A rental unit that must be leased to a household whose income does not exceed 90% of the AMI and for which the annual housing cost of the unit, defined as rent plus any tenant paid utilities, does not exceed 30% of 80% of the AMI, adjusted for household size.</p>

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2 a). Required AFFH Unit Component	<p><u>Set-aside requirement.</u> Before the Planning Board may approve a site plan for a residential development containing eight or more dwelling units, whether in single-family, two-family or multifamily buildings, such site plan shall show affordable and workforce housing units as follows: Fifteen percent of all units in such development shall meet either the definition of an "affordable housing unit" or a "workforce housing unit." At least 2/3 of these units shall be affordable housing units. The remaining 1/3 may be either affordable housing units or workforce housing units.</p> <p><u>Alternatives to set-aside.</u> There is a strong preference that units be on-site. However, where the Planning Board determines that the on-site location of affordable and workforce housing units is not practical, the Planning Board may: (a) require the applicant to construct the affordable and workforce housing units at another location in the Village; or (b) require the applicant to pay a fee equal to the cost necessary to acquire a site and to develop the required number of affordable and workforce housing units into a Special Affordable Housing Fund.</p>
2 b). Higher % on Lower Cost Sites	No provision
2 c). No Preferences	Consistent
2 d). Provision to Target Workforce	No provision

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3. Incentives Above 10% for Creation of AFFH Units	No provision
4. Maximum Rent and Sales Price	The maximum gross sale price for an affordable housing unit shall be based on an annual housing cost, including common charges, principal, interest, taxes and insurance does not exceed 33% of 70% of the AMI, adjusted for household size. The maximum monthly rent for a rental affordable unit, plus any tenant paid utilities, shall not exceed 30% of 60% of the AMI, adjusted for median household size for the unit. The maximum gross sale price for a workforce housing unit shall be based on an annual housing cost, including common charges, principal, interest, taxes, and insurance, that does not exceed 33% of 100% of the AMI, adjusted for the median household size for the unit. The maximum monthly rent for a workforce housing unit, plus any tenant paid utilities, shall not exceed 30% of 80% of the AMI, adjusted for the median household size for the unit.
5. Time Period of Affordability	Units designated as affordable or workforce housing units must remain affordable for a minimum of 100 years from the date of the initial certificate of occupancy for rental properties and from the date of the original sale for for-purchase units.
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	No provision
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	Consistent
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	No provision

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<p>7 d). Single-Family Unit Appearance and Integration</p>	<p>Consistent</p>												
<p>7 e). Single-Family Allowance for Reduced Finishes</p>	<p>No provision</p>												
<p>7 f). Multi-Family Integration, Distribution of Sizes and Appearance</p>	<p>Affordable housing units and workforce housing units shall be distributed among one-, two-, three-, or four-bedroom units in the same proportion as all other units in the development, unless a different proportion is approved by the Planning Board as being better suited to the housing needs of the Village.</p>												
<p>7 g). Multi-Family Allowance for Reduced Finishes</p>	<p>No provision</p>												
<p>8. Minimum Floor Area</p>	<p>The minimum gross floor area per affordable and workforce housing unit shall not be less than 80% of the average floor area of non-restricted housing units in the development and not less than the following unless the applicant can establish to the satisfaction of the Village that the development is subject to maximum floor area requirements imposed by federal, state or county funding sources or a different floor area requirement is approved by the Planning Board as being better suited to the housing needs of the Village:</p> <table data-bbox="417 1117 1291 1320"> <thead> <tr> <th><u>Dwelling Unit</u></th> <th><u>Minimum Gross Floor Area</u></th> </tr> </thead> <tbody> <tr> <td>Efficiency</td> <td>45 square feet</td> </tr> <tr> <td>One-bedroom</td> <td>675 square feet</td> </tr> <tr> <td>Two-bedroom</td> <td>850 square feet</td> </tr> <tr> <td>Three-bedroom</td> <td>1,100 square feet (must include at least 1.5 baths)</td> </tr> <tr> <td>Four-bedroom</td> <td>1,300 square feet (must include at least 1.5 baths)</td> </tr> </tbody> </table>	<u>Dwelling Unit</u>	<u>Minimum Gross Floor Area</u>	Efficiency	45 square feet	One-bedroom	675 square feet	Two-bedroom	850 square feet	Three-bedroom	1,100 square feet (must include at least 1.5 baths)	Four-bedroom	1,300 square feet (must include at least 1.5 baths)
<u>Dwelling Unit</u>	<u>Minimum Gross Floor Area</u>												
Efficiency	45 square feet												
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Four-bedroom	1,300 square feet (must include at least 1.5 baths)												

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9. Occupancy Standards	Consistent
10. Affirmative Marketing	Consistent
11. Resale Requirements	Consistent

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12. Lease Renewal Requirements: Option (a), Option (b), Option (c)	Consistent with 12a), with added at end: If, however, the renter's income falls below the maximum during the additional one-year term, the renter shall be offered a two-year renewal lease.
13. Administrative and Monitoring Agency	The Village Board of Trustees shall be responsible for the affordable housing requirements of this Affordable and Workforce Housing Set-aside section and shall have the authority to promulgate such rules and regulations as may be necessary to implement them. The Village Board of Trustees may designate such additional person(s), authorities and procedures as necessary to monitor compliance with the provisions of this section.
14. (a). Expedited Project Review Process: Pre-Application meeting	Consistent
14. (b). Expedited Project Review Process: Meeting Schedule and Timeline	Consistent

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14. (c). Expedited Project Review Process: Calendar/Agenda Priority	No provision
Comments	The limited sales value or rent levels of affordable housing units or workforce housing units shall be taken into consideration by the Village Assessor in determining the basis for assessment on such units.

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Municipality	Village of Ardsley
Ordinance Adopted, Drafted	Adopted 11/19/12
WCPB Referral Letter Sent	3/21/2012
1. Definition of AFFH Unit	Consistent

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2 a). Required AFFH Unit Component	Consistent
2 b). Higher % on Lower Cost Sites	No provision
2 c). No Preferences	Consistent
2 d). Provision to Target Workforce	No provision

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3. Incentives Above 10% for Creation of AFFH Units	No provision
4. Maximum Rent and Sales Price	Consistent
5. Time Period of Affordability	Consistent
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	Consistent
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	Consistent
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	Consistent

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7 d). Single-Family Unit Appearance and Integration	Consistent
7 e). Single-Family Allowance for Reduced Finishes	No provision
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Consistent
7 g). Multi-Family Allowance for Reduced Finishes	No provision
8. Minimum Floor Area	Consistent

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9. Occupancy Standards	<u># of Bedrooms</u>	<u>Min. # of Persons</u>	<u>Max. # of Persons</u>
	Efficiency	1	1
	1	1	3
	2	1	5
	3	3	7
4	4	9	
10. Affirmative Marketing	Consistent		
11. Resale Requirements	Consistent		

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<p>12. Lease Renewal Requirements: Option (a), Option (b), Option (c)</p>	<p>A. A person renting a Fair and Affordable Housing Unit shall sign a lease for a term of no more than two years. As long as a renter remains eligible and has complied with the terms of the lease, renter shall be offered renewal leases for a term of no more than two years each. B. Renewal of a lease shall be subject to the conditions of federal, state or county provisions that may be imposed by the terms of the original development funding agreements for the development or to the provisions of other applicable local law. C. If no such provisions are applicable and if a renter's annual gross income should subsequently exceed the maximum then allowable, as defined in this article, then the renter may complete his/her current lease term, and shall be offered a non restricted rental unit in the development, if available, at the end of such lease term. If no such unit is available at said time, the renter may be allowed to sign one additional one year lease for the Fair and Affordable Housing unit he/she occupies but shall not be offered a renewal of the lease beyond the expiration of that additional one year lease term. If, however, at the end of the additional one year term the renter's income is below the maximum then allowable, the renter shall be offered a two year renewable lease.</p>
<p>13. Administrative and Monitoring Agency</p>	<p>The Village Board of Trustees or its designee shall administer the requirements of this article and, among other things, be responsible for monitoring the Fair and Affordable Housing units during the units' periods of affordability and for monitoring compliance with the income and eligibility requirements and affirmative marketing responsibilities applicable to the Fair and Affordable Housing units. The costs of such administration shall be borne by the owner/developer.</p>
<p>14. (a). Expedited Project Review Process: Pre-Application meeting</p>	<p>Consistent</p>
<p>14. (b). Expedited Project Review Process: Meeting Schedule and Timeline</p>	<p>Consistent</p>

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14. (c). Expedited Project Review Process: Calendar/Agenda Priority	No provision
Comments	All ordinances, local laws, and parts thereof inconsistent with thi local law are hereby repealed.

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Municipality	Town of North Salem
Ordinance Adopted, Drafted	Adopted 9/11/12
WCPB Referral Letter Sent	6/25/2012
1. Definition of AFFH Unit	Consistent

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2 a). Required AFFH Unit Component	<p>All subdivisions of 10 or more lots shall be required to provide for the construction of affordable housing dwellings on 10% of the total number of approved lots. In the calculation of the required number of lots for affordable housing dwellings, when ten percent of the total lots results in a fraction of a whole number, fractions of 0.6 or greater shall result in the creation of an additional affordable housing dwelling lot. Alternatively, two affordable housing rental accessory apartments may be constructed on two of the ten approved lots in lieu of one affordable housing single-family dwelling.</p> <p>For single-family dwelling units with attached one-bedroom dwellings, the following requirements must be met: (1) The owner of the property shall occupy at least one of the dwelling units, and the one-bedroom dwelling shall be attached to the single-family dwelling. (2) A one-bedroom dwelling shall contain a minimum floor area of 300 square feet. The maximum floor area shall not exceed 750 square feet or 25% of the habitable space of the main dwelling, whichever is less. (3) The entry to a one-bedroom dwelling and its design shall be such that, to the degree feasible, the structure containing the single-family dwelling and the apartment will have the appearance of a single family residence.</p> <p>A minimum of 10% of the total number of proposed independent-living dwelling units and assisted/assistive-living rooms shall be provided as affordable housing dwellings as defined in this chapter, fractions of 0.6 or greater shall be rounded up.</p> <p>A minimum of 20% of the total number of proposed multifamily or medium-density single-family dwelling units shall be provided as affordable housing dwellings as defined in this chapter, fractions of 0.6 or greater shall be rounded up.</p>
2 b). Higher % on Lower Cost Sites	No provision
2 c). No Preferences	No provision
2 d). Provision to Target Workforce	No provision

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3. Incentives Above 10% for Creation of AFFH Units	A. The Planning Board, in granting density with bonus for affordable housing dwellings, in accordance with § 250-18 of this chapter, shall consider the following: (1) The Town-wide number of affordable housing dwellings that the Town Board deem necessary to achieve the purpose and intent of this Article and the affordable housing policy and needs as articulated by the Town Board. (2) The relative concentration of affordable housing dwellings within a specific area of the Town in order to balance the impact of increased density among various areas. The density bonus for affordable housing dwellings is to be encouraged in all residential zones. B. Applicants before the Planning Board are required to consider the affordable housing needs for the Town. Applicants are to receive a declaration that the Planning Board actively encourages applications for bonuses for affordable housing dwellings and a copy of these Affordable Housing Regulations.
4. Maximum Rent and Sales Price	Consistent
5. Time Period of Affordability	In perpetuity
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	No provision
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	No provision
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	No provision

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7 d). Single-Family Unit Appearance and Integration	Consistent
7 e). Single-Family Allowance for Reduced Finishes	No provision
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Affordable housing dwelling units shall be physically integrated into the design of the development. All such units shall be indistinguishable in appearance, siting and exterior design from the market rate units in the development. All units shall have access to the same amenities as the market rate units. The units shall consist of studio/efficiency, one-, two and/or three-bedroom units in a proportion approved by the Planning Board as being better related to the housing needs, current or projected, of the Town of North Salem and the surrounding region. The Planning Board shall receive and consider the recommendation of the Housing Board in determining the proportion of studio/efficiency, one-, two- and three- bedroom units.
7 g). Multi-Family Allowance for Reduced Finishes	No provision
8. Minimum Floor Area	Studio/Efficiency: 450 s.f. One bedroom: 675 s.f. Two bedroom: 750 s.f. Three bedroom: 1,000 s.f. (including at least 1.5 baths)

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9. Occupancy Standards	<table><thead><tr><th data-bbox="411 193 730 228"><u># of Bedrooms</u></th><th data-bbox="730 193 968 228"><u>Min. # of Persons</u></th><th data-bbox="968 193 1871 228"><u>Max. # of Persons</u></th></tr></thead><tbody><tr><td data-bbox="411 228 730 264">Studio/efficiency</td><td data-bbox="730 228 968 264">1</td><td data-bbox="968 228 1871 264">1</td></tr><tr><td data-bbox="411 264 730 300">1</td><td data-bbox="730 264 968 300">1</td><td data-bbox="968 264 1871 300">2</td></tr><tr><td data-bbox="411 300 730 336">2</td><td data-bbox="730 300 968 336">2</td><td data-bbox="968 300 1871 336">4</td></tr><tr><td data-bbox="411 336 730 371">3</td><td data-bbox="730 336 968 371">3</td><td data-bbox="968 336 1871 371">6</td></tr></tbody></table>	<u># of Bedrooms</u>	<u>Min. # of Persons</u>	<u>Max. # of Persons</u>	Studio/efficiency	1	1	1	1	2	2	2	4	3	3	6
<u># of Bedrooms</u>	<u>Min. # of Persons</u>	<u>Max. # of Persons</u>														
Studio/efficiency	1	1														
1	1	2														
2	2	4														
3	3	6														
10. Affirmative Marketing	Consistent															
11. Resale Requirements	No provision															

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<p>12. Lease Renewal Requirements: Option (a), Option (b), Option (c)</p>	<p>Provided a renewing household is still income eligible and has complied with the terms of the lease, renewal of the lease for a term of no more than one year shall be offered. Renewal of a lease shall be subject to the terms and conditions of the original lease.</p> <p>Renewal of a lease shall be subject to the conditions of Federal, State or Westchester County provisions that may be imposed by the terms of the original development funding agreements for the development or to the provisions of other applicable local law. If no such provisions are applicable a lease shall not be renewed in instances where a household's income exceeds the current eligibility standards. Such households shall complete their current lease term and shall be offered a month to month lease, not to exceed four months, in order to provide time to relocate. Additional months may be offered at the discretion of the Housing Board, not to exceed two additional increments of four months each.</p>
<p>13. Administrative and Monitoring Agency</p>	<p>The Town Board shall establish a Town Housing Board which shall be responsible for the administration of the Moderate-Income Housing and Affordable Housing Programs and the housing units created under these programs.</p> <p>For any affordable housing units involving public funding from or through Westchester County, Westchester County may be designated as the primary responsible entity to provide administrative and monitoring services to ensure compliance with these marketing requirements, as well as in regard to initial sales, subsequent resales, refinancings, leasing and releasing, including renewal leases, of rental units and appropriate sale, resale or rent prices.</p>
<p>14. (a). Expedited Project Review Process: Pre-Application meeting</p>	<p>Consistent</p>
<p>14. (b). Expedited Project Review Process: Meeting Schedule and Timeline</p>	<p>No provision</p>

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14. (c). Expedited Project Review Process: Calendar/Agenda Priority	No provision
Comments	Town also has regulations for Moderate Income Housing, only to include such units built before 1/1/12.

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November 2013

Municipality	Village of Pleasantville
Ordinance Adopted, Drafted	Adopted 5/7/12
WCPB Referral Letter Sent	3/14/2012
1. Definition of AFFH Unit	Consistent

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2 a). Required AFFH Unit Component	Within all multifamily residential developments of 10 or more units created by subdivision or site plan approval, no less than 10% of the total number of units must be created as AAFFH units.
2 b). Higher % on Lower Cost Sites	No provision
2 c). No Preferences	Consistent
2 d). Provision to Target Workforce	No provision

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3. Incentives Above 10% for Creation of AFFH Units	No provision
4. Maximum Rent and Sales Price	Consistent
5. Time Period of Affordability	Consistent
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	No provision
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	No provision
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	No provision

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7 d). Single-Family Unit Appearance and Integration	No provision
7 e). Single-Family Allowance for Reduced Finishes	No provision
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Consistent
7 g). Multi-Family Allowance for Reduced Finishes	Consistent
8. Minimum Floor Area	The minimum gross floor area standards per affordable AFFH unit shall be determined and established by, and in accordance with, the New York State Building Code in effect.

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9. Occupancy Standards	The occupancy standards per affordable AAFH unit shall be determined and established by, and in accordance with, the New York State Building Code in effect.
10. Affirmative Marketing	Consistent
11. Resale Requirements	Consistent

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November 2013

<p>12. Lease Renewal Requirements: Option (a), Option (b), Option (c)</p>	<p>Consistent Option (c)</p>
<p>13. Administrative and Monitoring Agency</p>	<p>A governmental office or department or local not-for-profit agency will be designated by the Village to administer and monitor the requirements of this chapter. The designated office, department, or agency will be responsible for monitoring the AAFH units during the units' period of affordability in accordance with the requirements, policies and protocols established by the County of Westchester. The designated office, department, or agency will also be responsible for monitoring compliance with the affirmative marketing requirements, policies and protocols during the AAFH units' period of affordability as set forth in §184-44C of this chapter. As necessary, monitoring fees shall be established by resolution of the Village Board of Trustees.</p>
<p>14. (a). Expedited Project Review Process: Pre-Application meeting</p>	<p>Consistent</p>
<p>14. (b). Expedited Project Review Process: Meeting Schedule and Timeline</p>	<p>No provision</p>

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14. (c). Expedited Project Review Process: Calendar/Agenda Priority	No provision
Comments	

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November 2013

Municipality	Town of Bedford
Ordinance Adopted, Drafted	Adopted 2/21/12
WCPB Referral Letter Sent	1/11/2012
1. Definition of AFFH Unit	Consistent

**AFFH - Model Ordinance Provisions
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<p>2 a). Required AFFH Unit Component</p>	<p><u>AFFH units in Single Family Zoning Districts:</u> (a). Within all residential developments of 5 or more units, no less than 10% of the total number of units must be created as AFFH units. For this purpose 0.5 units shall be rounded to the next highest whole number. For example, a development of 17 units will require two AFFH units. These units must be provided on the site of the proposed development. (b) Within all residential developments of less than 5 units, in addition to the methods specified above, the Planning Board may require a fee-in-lieu payment (see below). <u>AFFH units in Multifamily Zoning Districts:</u> At least 20% of the units of any multifamily residential development in any multifamily residential zoning district shall be established as AFFH units. <u>Siting of affordable units:</u> All AFFH units constructed under this section shall be situated within the proposed development or at an approved off-site location so as not to be in less desirable locations than market-rate units in the development and shall, on average, be no less accessible to public amenities, such as open space, as the market-rate units. <u>In-</u> <u>Lieu Fees:</u> An applicant for single-family residential subdivision may, as specified by the Planning Board, pay a fee-in-lieu of the construction of affordable units, on a scaled cost based on the zoning district as set forth below. Said fee shall be deposited into a fund hereinafter known as the "Town of Bedford Housing Trust Fund" to be used for the purchase and development of affordable housing at other locations within the Town.</p> <table border="1" data-bbox="411 613 1209 816"> <thead> <tr> <th><u>Zoning District</u></th> <th><u>In-Lieu Fee Per Newly Created Lot</u></th> </tr> </thead> <tbody> <tr> <td>1/4 acre</td> <td>\$4,000</td> </tr> <tr> <td>1/2 acre</td> <td>\$4,750</td> </tr> <tr> <td>1 acre</td> <td>\$7,000</td> </tr> <tr> <td>2 acre</td> <td>\$11,000</td> </tr> <tr> <td>4 acre</td> <td>\$14,000</td> </tr> </tbody> </table>	<u>Zoning District</u>	<u>In-Lieu Fee Per Newly Created Lot</u>	1/4 acre	\$4,000	1/2 acre	\$4,750	1 acre	\$7,000	2 acre	\$11,000	4 acre	\$14,000
<u>Zoning District</u>	<u>In-Lieu Fee Per Newly Created Lot</u>												
1/4 acre	\$4,000												
1/2 acre	\$4,750												
1 acre	\$7,000												
2 acre	\$11,000												
4 acre	\$14,000												
<p>2 b). Higher % on Lower Cost Sites</p>	<p>No provision</p>												
<p>2 c). No Preferences</p>	<p>Consistent</p>												
<p>2 d). Provision to Target Workforce</p>	<p>No provision</p>												

AFFH - Model Ordinance Provisions

November 2013

3. Incentives Above 10% for Creation of AFFH Units	When a proposed residential subdivision contains 20% or more affordable housing units, the Planning Board may: 1. Waive or reduce certain fees for applicants; 2. Consider such other forms of assistance which may be under the control of the Town; 3. Actively assist in obtaining assistance of federal, state or other agencies in support of affordable housing development; 4. Allow the reduction of dimensional requirements by not more than 25% and an allowance for shared parking so as to reduce infrastructure costs.
4. Maximum Rent and Sales Price	Consistent
5. Time Period of Affordability	Units designated as AAFH units must remain permanently affordable for rental properties and ownership units.
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	Consistent
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	Consistent
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	Consistent

AFFH - Model Ordinance Provisions

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7 d). Single-Family Unit Appearance and Integration	Consistent
7 e). Single-Family Allowance for Reduced Finishes	Consistent
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Consistent
7 g). Multi-Family Allowance for Reduced Finishes	Consistent
8. Minimum Floor Area	Consistent

**AFFH - Model Ordinance Provisions
November 2013**

9. Occupancy Standards	Consistent
10. Affirmative Marketing	Consistent
11. Resale Requirements	Consistent

AFFH - Model Ordinance Provisions

November 2013

<p>12. Lease Renewal Requirements: Option (a), Option (b), Option (c)</p>	<p>Choice of Options (a)(b) or (c) - Options (a) and (c) consistent; <u>Option (b)</u> as follows: said resident shall pay the greater of the following. (1) the rent amount payable under the provisions of this ordinance should option (b) be utilized, or (2) 30% of the resident's monthly adjusted household income provided that the increased rent may not exceed the market rent in the development for units with the same number of bedrooms, or should option (b) be utilized, the next unit will become an AAFFH unit.</p>
<p>13. Administrative and Monitoring Agency</p>	<p>The Town Housing Agency shall be responsible for administering the affordable housing requirements of this section as well as for the promulgation of such rules and regulations as may be necessary to implement such requirements.</p>
<p>14. (a). Expedited Project Review Process: Pre-Application meeting</p>	<p>Consistent</p>
<p>14. (b). Expedited Project Review Process: Meeting Schedule and Timeline</p>	<p>Consistent</p>

**AFFH - Model Ordinance Provisions
November 2013**

14. (c). Expedited Project Review Process: Calendar/Agenda Priority	Consistent
Comments	

AFFH - Model Ordinance Provisions
November 2013

Municipality	Village of Irvington
Ordinance Adopted, Drafted	Adopted 2/6/12
WCPB Referral Letter Sent	2/6/2012
1. Definition of AFFH Unit	Consistent

AFFH - Model Ordinance Provisions

November 2013

2 a). Required AFFH Unit Component	Consistent
2 b). Higher % on Lower Cost Sites	No provision
2 c). No Preferences	Consistent
2 d). Provision to Target Workforce	No provision

**AFFH - Model Ordinance Provisions
November 2013**

3. Incentives Above 10% for Creation of AFFH Units	No provision
4. Maximum Rent and Sales Price	Consistent
5. Time Period of Affordability	Consistent
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	Consistent
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	Consistent
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	Consistent

AFFH - Model Ordinance Provisions
November 2013

7 d). Single-Family Unit Appearance and Integration	Consistent
7 e). Single-Family Allowance for Reduced Finishes	No provision
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Consistent
7 g). Multi-Family Allowance for Reduced Finishes	No provision
8. Minimum Floor Area	Consistent

**AFFH - Model Ordinance Provisions
November 2013**

9. Occupancy Standards	Consistent
10. Affirmative Marketing	Consistent
11. Resale Requirements	Consistent

AFFH - Model Ordinance Provisions

November 2013

<p>12. Lease Renewal Requirements: Option (a), Option (b), Option (c)</p>	<p>Consistent Option (a); added at end, "If however, at the end of the additional one-year term the renter's income is below the maximum then allowable, the renter shall be offered a two-year renewal lease.</p>
<p>13. Administrative and Monitoring Agency</p>	<p>The Village Board of Trustees or its designee shall administer the requirements of this article and, among other things, be responsible for monitoring the Fair and Affordable Housing units during the units' periods of affordability and for monitoring compliance with the income and eligibility requirements and affirmative marketing responsibilities applicable to the Fair and Affordable Housing units. The costs of such administration and monitoring shall be borne by the developer/owner.</p>
<p>14. (a). Expedited Project Review Process: Pre-Application meeting</p>	<p>Consistent</p>
<p>14. (b). Expedited Project Review Process: Meeting Schedule and Timeline</p>	<p>Consistent</p>

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14. (c). Expedited Project Review Process: Calendar/Agenda Priority	No provision
Comments	

AFFH - Model Ordinance Provisions
November 2013

Municipality	Town of New Castle
Ordinance Adopted, Drafted	Adopted 8/9/11
WCPB Referral Letter Sent	7/26/2011
1. Definition of AFFH Unit	Consistent

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November 2013

2 a). Required AFFH Unit Component	Within all multifamily Residential Developments of at least 5 but less than 10 units in a MFR-C District, at least 1 of the units must be created as a Model Ordinance Provisions Affordable AFFH Unit (AFFH Unit), and within all multifamily Residential Development of 10 or more units within an MFR-C District, no less than 10% of the total number of units must be created as AFFH Units. Within all subdivisions of at least 8 but less than 10 building lots, at least 1 of the building lots must be created as a lot on which a AFFH Unit will be located, and within all subdivisions of 10 or more building lots, no less than 10% of the total number of building lots must be created as lots on which AFFH Units will be located.
2 b). Higher % on Lower Cost Sites	No provision
2 c). No Preferences	Consistent
2 d). Provision to Target Workforce	No provision

**AFFH - Model Ordinance Provisions
November 2013**

<p>3. Incentives Above 10% for Creation of AFFH Units</p>	<p>Maximum Permitted Increase Beyond the Basic Permitted Density in Nonwetland Areas for Model Ordinance Provisions Affordable AFFH Unit: 2% for every 1%</p>
<p>4. Maximum Rent and Sales Price</p>	<p>Consistent</p>
<p>5. Time Period of Affordability</p>	<p>Consistent</p>
<p>6. Property Restriction</p>	<p>Consistent</p>
<p>7 a). Permits Single-Family AFFH as 2-Family</p>	<p>Consistent</p>
<p>7 b). Permits Single-Family AFFH on Smaller Lot (75%)</p>	<p>Consistent</p>
<p>7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area</p>	<p>A two-family home incorporating a Model Ordinance Provisions Affordable AFFH Unit may be located on a lot meeting the minimum lot area for a single-family residence in the Residential Development.</p>

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7 d). Single-Family Unit Appearance and Integration	Consistent
7 e). Single-Family Allowance for Reduced Finishes	Consistent
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Consistent
7 g). Multi-Family Allowance for Reduced Finishes	Consistent
8. Minimum Floor Area	Consistent

**AFFH - Model Ordinance Provisions
November 2013**

9. Occupancy Standards	Consistent
10. Affirmative Marketing	Consistent
11. Resale Requirements	Consistent

AFFH - Model Ordinance Provisions

November 2013

12. Lease Renewal Requirements: Option (a), Option (b), Option (c)	Consistent Option (a)
13. Administrative and Monitoring Agency	"The County of Westchester or its designated agency or delegate shall administer the requirements of this Section 6--220, and among other things, be responsible for monitoring the Model Ordinance Provisions Affordable AFFH Units during the units' periods of affordability and for monitoring compliance with the income and eligibility requirements and affirmative marketing responsibilities applicable to the Model Ordinance Provisions AFFH Units.
14. (a). Expedited Project Review Process: Pre-Application meeting	Consistent
14. (b). Expedited Project Review Process: Meeting Schedule and Timeline	Consistent

**AFFH - Model Ordinance Provisions
November 2013**

14. (c). Expedited Project Review Process: Calendar/Agenda Priority	Consistent
Comments	

AFFH - Model Ordinance Provisions
November 2013

Municipality	Town of Ossining
Ordinance Adopted, Drafted	Adopted 8/9/12
WCPB Referral Letter Sent	5/23/2011
1. Definition of AFFH Unit	Consistent

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2 a). Required AFFH Unit Component	Consistent
2 b). Higher % on Lower Cost Sites	No provision
2 c). No Preferences	No provision
2 d). Provision to Target Workforce	No provision

AFFH - Model Ordinance Provisions

November 2013

<p>3. Incentives Above 10% for Creation of AFFH Units</p>	<p>The approval authority shall grant a residential density bonus for multiple, row or attached dwellings constructed or rehabilitated in the below districts, with 1/2 of said density bonus consisting of below-market rate units as defined and regulated in this article. The maximum permitted density bonus shall be in accordance with the following schedule:</p> <p><u>For MF District and One-Family Residence Districts*:</u></p> <table border="0"> <thead> <tr> <th><u>Size of Property (acres)</u></th> <th><u>Max. Permitted Density Bonus</u></th> </tr> </thead> <tbody> <tr> <td>10 or more</td> <td>20%</td> </tr> <tr> <td>More than 5 but fewer than 10</td> <td>30%</td> </tr> <tr> <td>Fewer than or equal to 5</td> <td>40%</td> </tr> </tbody> </table> <p>(*Note: for One-Family Residence Districts – To assist in achieving the density permitted, the applicant may apply to the Planning Board for a cluster development pursuant to Section 200-31 of this chapter.</p> <p><u>For GB District:</u></p> <table border="0"> <thead> <tr> <th><u>Size of Property (acres)</u></th> <th><u>Max. Permitted Density Bonus</u></th> </tr> </thead> <tbody> <tr> <td>10 or more</td> <td>20%</td> </tr> <tr> <td>More than 5 but fewer than 10</td> <td>30%</td> </tr> <tr> <td>More than 2 but fewer than 5</td> <td>40%</td> </tr> <tr> <td>Fewer than 2</td> <td>100%</td> </tr> </tbody> </table>	<u>Size of Property (acres)</u>	<u>Max. Permitted Density Bonus</u>	10 or more	20%	More than 5 but fewer than 10	30%	Fewer than or equal to 5	40%	<u>Size of Property (acres)</u>	<u>Max. Permitted Density Bonus</u>	10 or more	20%	More than 5 but fewer than 10	30%	More than 2 but fewer than 5	40%	Fewer than 2	100%
<u>Size of Property (acres)</u>	<u>Max. Permitted Density Bonus</u>																		
10 or more	20%																		
More than 5 but fewer than 10	30%																		
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<u>Size of Property (acres)</u>	<u>Max. Permitted Density Bonus</u>																		
10 or more	20%																		
More than 5 but fewer than 10	30%																		
More than 2 but fewer than 5	40%																		
Fewer than 2	100%																		
<p>4. Maximum Rent and Sales Price</p>	<p>Consistent</p>																		
<p>5. Time Period of Affordability</p>	<p>Consistent</p>																		
<p>6. Property Restriction</p>	<p>Consistent</p>																		
<p>7 a). Permits Single-Family AFFH as 2-Family</p>	<p>No provision</p>																		
<p>7 b). Permits Single-Family AFFH on Smaller Lot (75%)</p>	<p>No provision</p>																		
<p>7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area</p>	<p>No provision</p>																		

**AFFH - Model Ordinance Provisions
November 2013**

7 d). Single-Family Unit Appearance and Integration	To the maximum extent possible, the BMR units shall have the same exterior finishes, siting and exterior design as the market-rate units within the development, and said BMR units shall have access to the same amenities as the market-rate units. The BMR units shall be no less than 80% of the size of said market-rate units and shall be reasonably distributed throughout the project. Further, the BMR units shall be provided in a mix of unit types in the same proportion as all other units in the development, unless a different proportion is approved by the Planning Board as being better related to the housing needs, current or projected, of the Town of Ossining.
7 e). Single-Family Allowance for Reduced Finishes	No provision
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Same as 7 d). Above
7 g). Multi-Family Allowance for Reduced Finishes	No provision
8. Minimum Floor Area	Consistent

**AFFH - Model Ordinance Provisions
November 2013**

<p>9. Occupancy Standards</p>	<p>The minimum and maximum occupancy of a BR unit shall be as follows:</p> <table border="1"> <thead> <tr> <th data-bbox="411 228 716 261"><u># of Bedrooms</u></th> <th data-bbox="716 228 968 261"><u>Min. # of Persons</u></th> <th data-bbox="968 228 1995 261"><u>Max. # of Persons</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="411 261 716 293">Studio/efficiency</td> <td data-bbox="716 261 968 293">1</td> <td data-bbox="968 261 1995 293">2</td> </tr> <tr> <td data-bbox="411 293 716 326">1</td> <td data-bbox="716 293 968 326">1</td> <td data-bbox="968 293 1995 326">2</td> </tr> <tr> <td data-bbox="411 326 716 358">2</td> <td data-bbox="716 326 968 358">2</td> <td data-bbox="968 326 1995 358">4</td> </tr> <tr> <td data-bbox="411 358 716 391">3</td> <td data-bbox="716 358 968 391">3</td> <td data-bbox="968 358 1995 391">6</td> </tr> <tr> <td data-bbox="411 391 716 423">4</td> <td data-bbox="716 391 968 423">4</td> <td data-bbox="968 391 1995 423">8</td> </tr> </tbody> </table>	<u># of Bedrooms</u>	<u>Min. # of Persons</u>	<u>Max. # of Persons</u>	Studio/efficiency	1	2	1	1	2	2	2	4	3	3	6	4	4	8
<u># of Bedrooms</u>	<u>Min. # of Persons</u>	<u>Max. # of Persons</u>																	
Studio/efficiency	1	2																	
1	1	2																	
2	2	4																	
3	3	6																	
4	4	8																	
<p>10. Affirmative Marketing</p>	<p>Consistent</p>																		
<p>11. Resale Requirements</p>	<p>Consistent</p>																		

AFFH - Model Ordinance Provisions

November 2013

<p>12. Lease Renewal Requirements: Option (a), Option (b), Option (c)</p>	<p>Consistent Option (c)</p>
<p>13. Administrative and Monitoring Agency</p>	<p>The Town Board shall be responsible for administering these regulations and may designate a board, commission or other organization to monitor compliance.</p>
<p>14. (a). Expedited Project Review Process: Pre-Application meeting</p>	<p>No provision</p>
<p>14. (b). Expedited Project Review Process: Meeting Schedule and Timeline</p>	<p>No provision</p>

AFFH - Model Ordinance Provisions
November 2013

14. (c). Expedited Project Review Process: Calendar/Agenda Priority	No provision
Comments	

**AFFH - Model Ordinance Provisions
November 2013**

Municipality	Village of Rye Brook
Ordinance Adopted, Drafted	Adopted 12/13/11
WCPB Referral Letter Sent	10/25/2012
1. Definition of AFFH Unit	Consistent

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<p>2 a). Required AFFH Unit Component</p>	<p>Within all residential developments created by subdivision or site plan approval, the number of required AFFH units shall be calculated as follows:</p> <table border="1" data-bbox="422 264 989 435"> <thead> <tr> <th><u># of Proposed Units</u></th> <th><u>Required AFFH Units</u></th> </tr> </thead> <tbody> <tr> <td>11 to 20</td> <td>1</td> </tr> <tr> <td>21 to 30</td> <td>2</td> </tr> <tr> <td>31 to 40</td> <td>3</td> </tr> <tr> <td>41 to 50</td> <td>4</td> </tr> </tbody> </table> <p>Continuing in like increments: 1 additional AFF Unit shall be required for each additional increment of 10 dwelling units or part thereof.</p> <p>The Fair and Affordable Housing (FAH) District is a floating zoning district, unmapped at its initial adoption, that may be applied to particular parcels by an amendment to the Zoning Map upon the Village Board of Trustees' own motion or upon an applicant's submission of a Petition and approval of the Petition by the Board of Trustees. The Provisions shall apply to a Petition and application for site plan and/or subdivision approval regarding any parcel(s) in any zoning district in the Village for the construction of affordable housing, provided at least 50% of the proposed dwelling units will be AFFH units. Within all FAH District developments of two or more units created by subdivision or site plan approval, no less than 50% of the total number of units shall be created as AFFH units.</p>	<u># of Proposed Units</u>	<u>Required AFFH Units</u>	11 to 20	1	21 to 30	2	31 to 40	3	41 to 50	4
<u># of Proposed Units</u>	<u>Required AFFH Units</u>										
11 to 20	1										
21 to 30	2										
31 to 40	3										
41 to 50	4										
<p>2 b). Higher % on Lower Cost Sites</p>	<p>No provision</p>										
<p>2 c). No Preferences</p>	<p>Consistent</p>										
<p>2 d). Provision to Target Workforce</p>	<p>No provision</p>										

AFFH - Model Ordinance Provisions

November 2013

3. Incentives Above 10% for Creation of AFFH Units	Dimensional and bulk requirements. (a) The dimensional and bulk requirements applicable in the FAH District shall be those of the property's existing zoning designation prior to its rezoning to FAH, except as modified or waived by the Board of Trustees. (b) The Board of Trustees may permit modification or waiver of the applicable dimensional and bulk requirements as it deems appropriate upon balancing important concerns of the community's health, safety and welfare, including: [1] Consistency with the purpose and intent of the Village of Rye Brook Zoning Code and Official Map; [2] Furthering fair and affordable housing within the Village; [3] Harmony with the appropriate and orderly development of the immediate area; [4] Impacts upon the orderly development and quality of life for neighboring areas; [5] Advancement of economic development within the Village; [6] The location, nature and height of buildings, location of parking and the nature and extent of landscaping on the site such that the modified dimensional or bulk requirement will not hinder or discourage the appropriate development and use of adjacent land and buildings or substantially impair the value thereof; [7] Adverse environmental impacts; and [8] Whether the requested modification or waiver is the minimum necessary to maintain the economic viability of the development proposal. (c) In granting any modification or waiver, the Board of Trustees may attach such conditions as are, in its judgment, necessary to secure substantially the objectives of the standards or requirements so modified or waived.
4. Maximum Rent and Sales Price	Consistent
5. Time Period of Affordability	Consistent
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	Within new one- or two-family developments and existing one- or two-family zoning districts, the AFFH Units may be one-, two- or multi-family homes.
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	No provision
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	No provision

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7 d). Single-Family Unit Appearance and Integration	Consistent
7 e). Single-Family Allowance for Reduced Finishes	Consistent
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Consistent
7 g). Multi-Family Allowance for Reduced Finishes	Consistent
8. Minimum Floor Area	Consistent

AFFH - Model Ordinance Provisions
November 2013

9. Occupancy Standards	Consistent
10. Affirmative Marketing	Consistent
11. Resale Requirements	<p>Title to property containing an AFFH Unit shall be restricted so that in the event of any transfer of title, including resale, by the home buyer or any successor, the resale price shall not exceed the then-maximum sales price for said unit, as determined in accordance with § 250-26.1G of this chapter (see below) or the sum of the following, whichever is greater:</p> <ul style="list-style-type: none">(a) The actual purchase price of the unit by the home buyer;(b) The value of any Fixed Improvements made by the home buyer, as determined by the Program Administrator; and(c) Reasonable and necessary expenses incidental to the resale. <p>§ 250-26.1G: Maximum rent and sales price. The maximum monthly rent for an AFFH Unit and the maximum gross sales price for an AFFH Unit shall be as set forth in the current edition of the Westchester County Area Median Income (AMI), Sales & Rent Limits available from the County of Westchester.</p>

AFFH - Model Ordinance Provisions
November 2013

12. Lease Renewal Requirements: Option (a), Option (b), Option (c)	Consistent Option (c)
13. Administrative and Monitoring Agency	The Board of Trustees shall, by resolution, designate a local not-for-profit agency to serve as Program Administrator.
14. (a). Expedited Project Review Process: Pre-Application meeting	Consistent
14. (b). Expedited Project Review Process: Meeting Schedule and Timeline	A non-binding conceptual timeline for review of the application shall also be established at the pre-submission sketch plan conference.

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November 2013

14. (c). Expedited Project Review Process: Calendar/Agenda Priority	Consistent
Comments	

**AFFH - Model Ordinance Provisions
November 2013**

Municipality	Village of Scarsdale
Ordinance Adopted, Drafted	11/9/2011
WCPB Referral Letter Sent	11/14/2011
1. Definition of AFFH Unit	Consistent

**AFFH - Model Ordinance Provisions
November 2013**

<p>2 a). Required AFFH Unit Component</p>	<p>Within all residential developments created by subdivision or site plan approval, the number of required FAH units shall be calculated as follows:</p> <p>(1) Required units.</p> <table border="0"> <thead> <tr> <th><u>Development Size</u></th> <th><u>Required FAH Units</u></th> </tr> </thead> <tbody> <tr> <td>(including FAH units)</td> <td></td> </tr> <tr> <td>5-9 multifamily units</td> <td>1</td> </tr> <tr> <td>10-14 single or multifamily units</td> <td>1</td> </tr> <tr> <td>15-24 single or multifamily units</td> <td>2</td> </tr> <tr> <td>25-34 single or multifamily units</td> <td>3</td> </tr> <tr> <td>35-44 single or multifamily units</td> <td>4</td> </tr> </tbody> </table> <p>(2) Continuing in like increments, each additional 10 new units or part thereof shall require one additional FAH unit.</p>	<u>Development Size</u>	<u>Required FAH Units</u>	(including FAH units)		5-9 multifamily units	1	10-14 single or multifamily units	1	15-24 single or multifamily units	2	25-34 single or multifamily units	3	35-44 single or multifamily units	4
<u>Development Size</u>	<u>Required FAH Units</u>														
(including FAH units)															
5-9 multifamily units	1														
10-14 single or multifamily units	1														
15-24 single or multifamily units	2														
25-34 single or multifamily units	3														
35-44 single or multifamily units	4														
<p>2 b). Higher % on Lower Cost Sites</p>	<p>No provision</p>														
<p>2 c). No Preferences</p>	<p>Consistent</p>														
<p>2 d). Provision to Target Workforce</p>	<p>No provision</p>														

AFFH - Model Ordinance Provisions
November 2013

3. Incentives Above 10% for Creation of AFFH Units	No provision
4. Maximum Rent and Sales Price	Consistent
5. Time Period of Affordability	Consistent
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	No provision
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	No provision
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	No provision

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7 d). Single-Family Unit Appearance and Integration	Consistent
7 e). Single-Family Allowance for Reduced Finishes	Consistent
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Consistent
7 g). Multi-Family Allowance for Reduced Finishes	Consistent
8. Minimum Floor Area	Consistent

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<p>9. Occupancy Standards</p>	<p>For the sale or rental of FAH units, the following occupancy schedule shall apply:</p> <table border="1"> <thead> <tr> <th data-bbox="411 228 695 261"><u># of Bedrooms</u></th> <th data-bbox="695 228 926 261"><u>Min. # of Persons</u></th> <th data-bbox="926 228 1995 261"><u>Max. # of Persons</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="411 261 695 293">Studio/efficiency</td> <td data-bbox="695 261 926 293">1</td> <td data-bbox="926 261 1995 293">2</td> </tr> <tr> <td data-bbox="411 293 695 326">1</td> <td data-bbox="695 293 926 326">1</td> <td data-bbox="926 293 1995 326">3</td> </tr> <tr> <td data-bbox="411 326 695 358">2</td> <td data-bbox="695 326 926 358">2</td> <td data-bbox="926 326 1995 358">5</td> </tr> <tr> <td data-bbox="411 358 695 391">3</td> <td data-bbox="695 358 926 391">3</td> <td data-bbox="926 358 1995 391">6</td> </tr> <tr> <td data-bbox="411 391 695 423">4</td> <td data-bbox="695 391 926 423">4</td> <td data-bbox="926 391 1995 423">8</td> </tr> </tbody> </table>	<u># of Bedrooms</u>	<u>Min. # of Persons</u>	<u>Max. # of Persons</u>	Studio/efficiency	1	2	1	1	3	2	2	5	3	3	6	4	4	8
<u># of Bedrooms</u>	<u>Min. # of Persons</u>	<u>Max. # of Persons</u>																	
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<p>10. Affirmative Marketing</p>	<p>Consistent</p>																		
<p>11. Resale Requirements</p>	<p>Consistent</p>																		

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<p>12. Lease Renewal Requirements: Option (a), Option (b), Option (c)</p>	<p>Consistent Option (a)</p>
<p>13. Administrative and Monitoring Agency</p>	<p>A governmental office or department or local not-for-profit agency will be designated by the Village to administer the requirements of this chapter. The designated office, department, or agency will be responsible for monitoring the FAH units during the units' period of affordability in accordance with the requirements, policies and protocols established by the County of Westchester. The designated office, department, or agency will also be responsible for monitoring compliance with the affirmative marketing requirements, policies and protocols during the units' period of affordability pursuant to § 310-116 of this chapter. As necessary, monitoring fees shall be established by resolution of the Village Board of Trustees.</p>
<p>14. (a). Expedited Project Review Process: Pre-Application meeting</p>	<p>Consistent</p>
<p>14. (b). Expedited Project Review Process: Meeting Schedule and Timeline</p>	<p>Consistent</p>

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14. (c). Expedited Project Review Process: Calendar/Agenda Priority	No provision
Comments	

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Municipality	Village of Tarrytown
Ordinance Adopted, Drafted	12/5/2011
WCPB Referral Letter Sent	None
1. Definition of AFFH Unit	Consistent

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2 a). Required AFFH Unit Component	Within all residential developments of ten (10) or more units created by subdivision or site plan, no less than ten percent (10%) of the total number of units must be created as affordable units. In residential developments of eight (8) or nine (9) units, at least one (1) affordable unit shall be created. In residential developments of seven (7) units, a payment of \$200,000 shall be provided to the Village to be deposited in a separate account maintained by the Village for the development of affordable housing. In residential developments of six (6) units, \$150,000 shall be deposited into the account. the payments noted herein shall be required for all increments of ten (10) or more units created by subdivision or site plan. Also, the developer may request that the units to be created per this section be developed as a multifamily units and may be developed at another location within the Village.
2 b). Higher % on Lower Cost Sites	No provision
2 c). No Preferences	Consistent
2 d). Provision to Target Workforce	No provision

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<p>3. Incentives Above 10% for Creation of AFFH Units</p>	<p>The Village Board shall have the authority to apply the following standards in exercising its discretion to review and grant a compatible use permit for density bonuses associated with the creation of affordable housing beyond the number of units that can be created pursuant to the provisions of Chapter 305, Zoning.</p> <p>(1) <u>Waiver of land and building requirements.</u> With respect to an application for a development under this section, the Village Board has the authority to waive all use, area, volume, bulk, land and building requirements to the full extent authorized by § 7-738 of the Village Law of the State of New York, which permits the clustering of permitted density.</p> <p>(2) <u>Development density.</u> A development's density may not exceed the sum of the maximum allowable density of the zoning district in which the development is located plus a density bonus not to exceed 50% of the maximum allowable density of that district. The density bonus shall be fixed by the Village Board, in its discretion, taking into consideration: (a) The percentage of total residential units in the development that are designated as affordable; (b) The appropriateness of the proposed density in the neighborhood; (c) The aesthetic impact of the proposed development on the neighborhood; (d) The effect of the development on the environment as defined in the New York Environmental Conservation Law § 8-0105, Subdivision 6.</p> <p>(3) When considering an application for a compatible use permit for moderate-income housing, the Village Board shall take into account the effect of the development on:</p> <p>(a) Neighboring property values. (b) Traffic. (c) The health, safety and general welfare of the neighborhood and the community.</p>
<p>4. Maximum Rent and Sales Price</p>	<p>Consistent</p>
<p>5. Time Period of Affordability</p>	<p>Consistent</p>
<p>6. Property Restriction</p>	<p>Consistent</p>
<p>7 a). Permits Single-Family AFFH as 2-Family</p>	<p>Consistent. Also: The developer may request that the units to be created per this section be developed as a multi-family units and may be developed at another location within the Village. Permission shall be requested from the Board of Trustees and the Board shall have no obligation to allow for the creation of the units as multi-family or in another location in the Village.</p>
<p>7 b). Permits Single-Family AFFH on Smaller Lot (75%)</p>	<p>Consistent</p>
<p>7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area</p>	<p>Consistent</p>

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7 d). Single-Family Unit Appearance and Integration	Consistent
7 e). Single-Family Allowance for Reduced Finishes	Consistent
7 f). Multi-Family Integration, Distribution of Sizes and Appearance	Consistent
7 g). Multi-Family Allowance for Reduced Finishes	Consistent
8. Minimum Floor Area	Consistent

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9. Occupancy Standards	Consistent
10. Affirmative Marketing	Consistent
11. Resale Requirements	Consistent

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<p>12. Lease Renewal Requirements: Option (a), Option (b), Option (c)</p>	<p>If no such provisions are applicable and if a resident's annual gross income should subsequently exceed the maximum annual gross income then allowable, as defined in this section, then said resident shall pay the greater of:</p> <p>(a) The rent amount payable under the provisions of this section; or (b) Thirty percent of the resident's monthly adjusted household income, provided that the increased rent may not exceed the market rent in that development for units with the same number of bedrooms for a term of not more than five consecutive years.</p>
<p>13. Administrative and Monitoring Agency</p>	<p>The Moderate-Income Housing Board shall become the Affordable Housing Committee for the Village of Tarrytown. The Affordable Housing Committee shall have the following responsibilities:</p> <p>(a) Annually review of the implementation of this section and the recommendation of changes in these provisions, where necessary. (b) Provide guidance and assistance to the Board of Trustees, the Planning Board and Village staff in regards to the creation of affordable housing in the Village. (c) Provide guidance and assistance to the Board of Trustees, the Planning Board and Village staff in regards to proposed development concepts for the creation of affordable housing. (d) Provide guidance and assistance to the Board of Trustees and Village staff in regards to amendments to this section, should amendments be proposed by the Village or another governmental entity.</p>
<p>14. (a). Expedited Project Review Process: Pre-Application meeting</p>	<p>Consistent</p>
<p>14. (b). Expedited Project Review Process: Meeting Schedule and Timeline</p>	<p>Consistent</p>

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14. (c). Expedited Project Review Process: Calendar/Agenda Priority	Consistent
Comments	Note: the Affordable Housing Committee has no monitoring responsibilities.

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Municipality	Town of Yorktown
Ordinance Adopted, Drafted	11/15/2011
WCPB Referral Letter Sent	6/27/2011
1. Definition of AFFH Unit	A for-sale housing unit or a rental housing unit as further described below. (A). A for-sale housing unit that is affordable to a household whose income does not exceed 80% of the area median income (AMI) for Westchester as defined annually by the U.S. Department of Housing and Urban Development (HUD) and for which the annual housing cost of a unit, including common charges, principal, interest, taxes and insurance (PITI), does not exceed 30% of 75% AMI, adjusted for family size and that is marketed in accordance with the Westchester County Fair and Affordable Housing Affirmative Marketing Plan. (B). A rental housing unit that is affordable to a household whose income does not exceed 60% AMI and for which the annual housing cost of the unit, defined as rent, does not exceed 30% of 60% AMI, adjusted for family size and that is marketed in accordance with the Westchester County Fair and Affordable Housing Affirmative Marketing Plan.

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<p>2 a). Required AFFH Unit Component</p>	<p><u>Single-family developments:</u> Within all new single-family residential developments of eight or more units created by rezoning, subdivision or site plan approval, no less than 10% of the total number of units shall be created as AHUs. The number of required AHUs shall be calculated as follows: 1 to 7 units require 0 AHU's; 8 to 14 units require 1 unit; 15 to 24 units require 2 units; 25 to 34 units require 3 units; 35 to 44 units require 4 units. Continuing in like increments (Each additional 10 new units or part thereof shall require one additional AHU.)</p> <p><u>Multi-family developments:</u> Within all new multifamily residential developments of eight or more units created by rezoning, subdivision or site plan approval, no less than 10% of the total number of units shall be created as AHUs in developments of 30 units or less; no less than 15% of the total number of units shall be created as AHUs in developments of 31 units or more. The number of required AHUs shall be calculated as follows: 1 to 7 units require 0 AHU's; 8 to 14 units require 1 unit; 15 to 24 units require 2 units; 25 to 30 units require 3 units; 31 to 36 units require 5 units; 37 to 43 units require 6 units; 44 to 49 units require 7 units; 50 to 56 units require 8 units; 57 to 63 units require 9 units; 64 to 69 units require 10 units; 70 to 76 units require 11 units; 77 to 83 units require 12 units. Continuing in like increments (number of units times 0.15, rounding to nearest whole number: 0.5 or greater rounds up to next largest whole number).</p>
<p>2 b). Higher % on Lower Cost Sites</p>	<p>No provision</p>
<p>2 c). No Preferences</p>	<p>Consistent</p>
<p>2 d). Provision to Target Workforce</p>	<p>No provision</p>

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3. Incentives Above 10% for Creation of AFFH Units	None
4. Maximum Rent and Sales Price	Consistent
5. Time Period of Affordability	Consistent
6. Property Restriction	Consistent
7 a). Permits Single-Family AFFH as 2-Family	No provision
7 b). Permits Single-Family AFFH on Smaller Lot (75%)	No provision
7c). 2-Family AFFH Unit Located on Lot Meeting Single-Family Lot Area	No provision

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<p>7 d). Single-Family Unit Appearance and Integration</p>	<p>Consistent</p>																		
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<p>7 g). Multi-Family Allowance for Reduced Finishes</p>	<p>No provision</p>																		
<p>8. Minimum Floor Area</p>	<p>The minimum gross floor area per AHU shall be no less than the following:</p> <table border="1"> <thead> <tr> <th><u>Dwelling unit size</u></th> <th><u>Rental Unit</u></th> <th><u>Homeownership</u></th> </tr> </thead> <tbody> <tr> <td>Efficiency</td> <td>450 s.f.</td> <td>N/A</td> </tr> <tr> <td>1 bedroom</td> <td>675 s.f.</td> <td>700 s.f.</td> </tr> <tr> <td>2 bedroom</td> <td>800 s.f.</td> <td>950 s.f.</td> </tr> <tr> <td>3 bedroom</td> <td>1,000 s.f.</td> <td>1,200 s.f.</td> </tr> <tr> <td>4 bedroom</td> <td>1,200 s.f.</td> <td>1,400 s.f.</td> </tr> </tbody> </table>	<u>Dwelling unit size</u>	<u>Rental Unit</u>	<u>Homeownership</u>	Efficiency	450 s.f.	N/A	1 bedroom	675 s.f.	700 s.f.	2 bedroom	800 s.f.	950 s.f.	3 bedroom	1,000 s.f.	1,200 s.f.	4 bedroom	1,200 s.f.	1,400 s.f.
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<p>9. Occupancy Standards</p>	<p>For the initial sale or rental of AHU's, the following occupancy schedule shall apply:</p> <table border="1"> <thead> <tr> <th><u># of Bedrooms</u></th> <th><u>Min. # of Persons</u></th> <th><u>Max. # of Persons</u></th> </tr> </thead> <tbody> <tr> <td>Efficiency</td> <td>1</td> <td>1</td> </tr> <tr> <td>1</td> <td>1</td> <td>3</td> </tr> <tr> <td>2</td> <td>2</td> <td>4</td> </tr> <tr> <td>3</td> <td>3</td> <td>6</td> </tr> <tr> <td>4</td> <td>4</td> <td>8</td> </tr> </tbody> </table>	<u># of Bedrooms</u>	<u>Min. # of Persons</u>	<u>Max. # of Persons</u>	Efficiency	1	1	1	1	3	2	2	4	3	3	6	4	4	8
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<p>10. Affirmative Marketing</p>	<p>Consistent</p>																		
<p>11. Resale Requirements</p>	<p>i. Deed restrictions of for-sale AHUs.</p> <p>(1) In the case of owner-occupied affordable AHUs, the title to said property shall be restricted so that in the event of any resale by the home buyer or any successor, the maximum resale price shall be the lower of the maximum sales price for said unit as determined in Subsection I(1)(a) and (b) below (a) The net purchase price (i.e., gross sales prices minus subsidies) paid for the unit by the selling owner, increased by the percentage increase, if any, in the Consumer Price Index (CPI) for Urban Wage Earners and Clerical Workers in the New York-Northern New Jersey Area, as published by the United States Bureau of Labor Statistics (the "Index") on the dates between the month the seller acquired the unit and the month that the unit is offered for resale, plus the cost of approved major capital improvements made by the seller of the unit while said seller of the unit owned the unit as evidenced by paid receipts and written approval for said major capital improvements received from the YCHB no later than the time the seller of the unit has placed it for sale. Approval for, and addition to the potential resale price of, any major capital improvements shall be at the sole discretion of the YCHB. In reviewing such requests, the primary consideration shall be maintenance of the affordability of the AHU. If the index referenced above ceases to be published by the Bureau of Labor Statistics, and a successor index has not been designated, the YCHB shall recommend to the Town Board a comparable substitute index or methodology for proposed adoption by amendment of this chapter by local law. The last published edition of the index shall continue to be used until enactment of a successor index. (b) The price affordable to a household at 80% of AMI at the time the unit is offered for resale. This price shall be determined such that monthly housing costs shall not exceed 30% of 80% AMI, as adjusted based on unit size using 1.5 persons per bedroom, and calculating the mortgage based on 95% of the sales price utilizing an average of prevailing mortgage rates for thirty-year, fixed-rate mortgages. Monthly housing costs shall include the estimated principal and interest on the mortgage loan, estimated property taxes and homeowners' insurance (otherwise known as PITI), as well as any estimated common charges, homeowners' association fees, and/or common maintenance fees.</p> <p>(2) The price established by the YCHB in accordance with the foregoing shall be the maximum resale price. Should no buyer eligible under the terms herein contract for and close on the purchase of the AHU at this maximum price, the homeowner may, at his sole discretion, reduce the price or withdraw the unit from the market. The Town shall not be deemed to guarantee the resale price of the unit, which may be affected by factors such as the housing market and condition of the unit. A buyer of an AHU shall be deemed to have fully assumed the risks associated with the future value of the unit. The deed restrictions are for the sole purpose of ensuring that the unit is sold to an income-eligible buyer at no more than the maximum resale price as determined above and marketed in accordance with the Westchester County Fair and Affordable Housing Affirmative Marketing Plan.</p>																		

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<p>12. Lease Renewal Requirements: Option (a), Option (b), Option (c)</p>	<p>(4) Applicants for rental AHUs shall, if income eligible and if selected for occupancy in accordance with the Westchester County Fair and Affordable Housing Affirmative Marketing Plan, sign leases for a term of no more than two years. As long as a resident remains eligible and has complied with the terms of the lease, said resident shall be offered renewal leases for a term of no more than two years each.</p> <p>(5) Renewal of a lease shall be subject to the provisions that may be imposed by Westchester County, New York State or United States agencies in accordance with the terms of the original development funding agreements for the development or the provisions of other applicable law.</p> <p>(6) If the tenant's income documentation establishes that the tenant's annual gross income exceeds by more than 40% the maximum income for eligibility then allowable, as defined herein, then the tenant may complete the tenant's current lease term. If a nonrestricted rental unit is available in the development at the termination of such lease term, and if the resident meets the credit and/or financial qualifications that the owner or manager requires of other applicants for nonrestricted rental units, the owner or manager shall offer the tenant a lease for such nonrestricted rental unit. If no such dwelling unit shall be available at said time and accepted by the tenant, the owner shall offer the tenant a one-year lease for the AHU the tenant occupies, but shall not offer the tenant a renewal of the lease beyond the expiration of said term.</p>
<p>13. Administrative and Monitoring Agency</p>	<p>The Yorktown Community Housing Board shall be responsible for establishing policies regarding the AHUs and promulgating regulations to implement the terms of this chapter.</p>
<p>14. (a). Expedited Project Review Process: Pre-Application meeting</p>	<p>Consistent</p>
<p>14. (b). Expedited Project Review Process: Meeting Schedule and Timeline</p>	<p>Consistent</p>

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14. (c). Expedited Project Review Process: Calendar/Agenda Priority	Consistent
Comments	