Local Law No. 3 of 2022

A LOCAL LAW ADDING CHAPTER 105 TO THE CODE OF THE VILLAGE OF SLEEPY HOLLOW ENTITLED "AFFORDABLE HOUSING AT LIGHTHOUSE LANDING RIVER FRONT DEVELOPMENT"

BE IT ENACTED by the Board of Trustees of the Village of Sleepy Hollow, New York, that the Code of the Village of Sleepy Hollow is hereby amended by adding a new Chapter 105 entitled "Affordable Housing at Lighthouse Landing," to read as follows:

Section 1. Title. Affordable Housing Standards and Guidelines for Lighthouse Landing.

Section 2. Purpose and Intent. The purpose and intent to provide affordable housing for those people meeting the income threshold and who also meet the enhanced criteria of being: (i) Village of Sleepy Hollow Emergency Service Volunteers (Fire/Ambulance); (ii) Village of Sleepy Hollow Employees; (iii) Senior Citizens who currently live in Sleepy Hollow; (iv) Individuals who work in Sleepy Hollow; and (v), Senior Citizen Parents of Sleepy Hollow Residents.

Related Findings:

A. To aid emergency preparedness, and quality of life, the Village of Sleepy Hollow wishes to retain and expand its Fire and Ambulance volunteer base and to have said members reside in reasonable proximity to its municipal offices and operations.

B. To aid emergency preparedness, and quality of life, the Village of Sleepy Hollow wishes to retain and expand employee base and to have said members reside in reasonable proximity to its municipal offices and operations.

C. To aid in quality of life, the Village of Sleepy Hollow wishes to allow seniors reside in affordable housing.

D. To aid in quality of life, and reduce traffic, the Village of Sleepy Hollow wishes to allow Individuals who work in Sleepy Hollow, to reside in the Village.

E. To aid in quality of life, and reduce traffic, the Village of Sleepy Hollow wishes to allow the senior citizen parents of its residents to reside in the Village.

Section 3. Limitation of Applicability. This ordinance seeks to implement local standards and guidelines for affordable housing regarding rental dwelling units available in the Lighthouse

Landing River Front Development (*See,* Approving Resolution #06/66/2011, 20). This local law is exclusive to said development; as such, it shall not be construed as being applicable to the broader municipality or any other local law.

Section 4. Definitions. For purposes of this Chapter, and unless otherwise stated, or unless the context otherwise requires, the term in this Chapter shall have the meanings as noted in Merriam-Webster's Unabridged Dictionary.

Affordable Housing Unit (AHU). A for-rent 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 33% of 80% AMI, adjusted for family size and that is marketed in accordance with the Westchester County Fair & Affordable Housing Affirmative Marketing Plan.

AHU Application. The form available online at www.sleepyhollowny.gov or at municipal offices located on the second floor, at Village of Sleepy Hollow, 28 Beekman Avenue Sleepy Hollow, New York 10591, (914) 366-5106, (914) 366-5113, allowing individuals to apply for an AHU pursuant to the Affordable Housing Standards and Guidelines enacted herein.

Preference(s). Village of Sleepy Hollow Emergency Service Volunteers (Fire/Ambulance); Village of Sleepy Hollow Employees; Senior Citizens who currently live in Sleepy Hollow; Individuals who work in Sleepy Hollow; And, Senior Citizen Parents of Sleepy Hollow Residents, are preferred classes of individuals who are to receive additional consideration when submitting an AHU Application.

Individuals who work in Sleepy Hollow. A person whose place of employment, is physically located within municipal bounds of the Village of Sleepy Hollow. A physical address is required as proof that someone works in Sleepy Hollow, post office boxes, or other similar types of parcel services are not considered a physical address within municipal bounds.

Senior Citizen Parents of Sleepy Hollow Residents. Persons who are 55 or older and who have children who own or rent a dwelling unit within the Village of Sleepy Hollow.

Senior Citizens. Persons who are 55 years or older.

Third-Party Administrator. A third-party entity, or a local non-profit agency designated by the Sleepy Hollow Board of Trustees under this chapter.

Village of Sleepy Hollow Employees. Persons who at the time of application are full or part time workers with the Village of Sleepy Hollow.

Section 5. Pre-qualification. The Village of Sleepy Hollow shall pre-qualify applicants who meet the outlined Preferences defined in this chapter. The hierarchy of priority is established by the Villages finding that Village of Sleepy Hollow Emergency Service Volunteers (Fire/Ambulance) should receive first Preference; That Village of Sleepy Hollow Employees should receive second Preference; That Senior Citizens who currently live in Sleepy Hollow should receive third Preference; That Individuals who work in Sleepy Hollow should receive fourth Preference; And, That Senior Citizen Parents of Sleepy Hollow Residents should receive fifth Preference.

A. To pre-qualify applicants, the Mayor of Sleepy Hollow shall have the authority to adopt, renew or update a "Pre-Qualification Affordable Housing Unit Application Form" under this section.

B. Pre-qualified applicants shall have their applications forwarded it to the designated third-party administrator of this program.

C. Incomplete applications may be rejected and or returned.

Section 6. Third-Party Administration. A Third-Party Administrator shall review all AHU applications. The third-party administrator shall ensure compliance with related income thresholds and may require any related proof necessary to the implementation of this chapter.

A. A Third-Party Administrator shall be designated to administer the requirements of this chapter.

B. The designated office, department or agency will be responsible for monitoring the affordable AHU units during the units' periods of affordability and for monitoring compliance with the affirmative marketing responsibilities of Lighthouse Landing River Front Development and the creating of the affordable AHU units.

C. The third-party administrator is to be appointed by the Sleepy Hollow Board of Trustees and maybe amended by simple resolution.

i. The current third-party administrator is the North Tarrytown Housing Authority.

ii. The current third-party administrator has an address of, 126 Valley St, Sleepy Hollow, NY 10591.

Section 7. Affirmative Marketing and Income Thresholds. The AHU units under the provisions of this section shall be rented to qualifying income-eligible households. Such income-eligible households shall be marketed to the above noted groups receiving Preference(s). Third-Party Administrator shall ensure compliance.

Section 8. Rental Requirements. AHU units under the provisions of this section shall be rented to households who, as per the determination of the designated third-party administrator of this program, do not exceed 80% of AMI for the County of Westchester. The third-party administrator of this program shall have authority to verify compliance with this section and ensure compliance.

Section 9. Limitation of Review. Once the Third-Party Administrator ensures initial compliance with this chapter, no further review or verification shall be undertaken. Applicants, who after AHU placement, subsequently do not meet the Affirmative Marketing and Income Thresholds shall not be dispossessed of their AHU rental units.

Section 10. Severability. The invalidity of any word, section, clause, paragraph sentence, part, or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such invalid part or parts.

Section 11. Effect. This Local Law shall take effect immediately upon filing in the Office of the Secretary of State.