

WITHDRAWN AS OF 11/18/2015

Intro. Res. No. 1752-2015
Introduced by Legislators Hahn and Browning

Laid on Table 9/9/2015

**RESOLUTION NO. -2015, ADOPTING LOCAL LAW
NO. -2015, A LOCAL LAW TO IMPROVE THE COUNTY'S
AFFORDABLE HOUSING PROGRAM**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on _____, 2015, a proposed local law entitled, "**A LOCAL LAW TO IMPROVE THE COUNTY'S AFFORDABLE HOUSING PROGRAM**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2015, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO IMPROVE THE COUNTY'S AFFORDABLE
HOUSING PROGRAM**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Suffolk County is facing a dire shortage of affordable housing.

This Legislature further finds and determines that affordable housing is critical to retaining young workers who help support a healthy economy on Long Island.

This Legislature finds that the County of Suffolk has worked diligently to create affordable housing. Most significantly, the County has transferred many parcels to towns and villages at no cost for the purpose of building workforce housing.

This Legislature also finds that, while the County's 72-h transfer program has been successful, more should be done to facilitate affordable housing development in Suffolk County.

This Legislature further determines that direct conveyance of vacant and improved parcels in need of refurbishing to non-profit organizations for appropriate consideration would further improve access to affordable housing. Currently, direct conveyances to not-for-profits is limited to projects targeted for veterans housing.

Therefore, the purpose of this law is to amend Article 36 of the SUFFOLK COUNTY ADMINISTRATIVE CODE to authorize the County of Suffolk to transfer surplus real property directly to non-for-profit corporations for the purpose of creating affordable owner-occupied housing.

Section 2. Amendments.

I. Section A36-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby amended by the addition of a new Section (F) which shall read as follows:

F. Transfer Program for Affordable Owner-Occupied Housing.

1. The County may transfer habitable improved parcels, uninhabitable improved parcels and vacant parcels directly to qualified not-for-profit corporations for the purpose of constructing or reconstructing housing for qualified first time homebuyers or affordable owner-occupied housing, subject to approval by the County Legislature.
2. Parcels transferred pursuant to this section will be subject to the same income and purchase price requirements for occupants that are applicable to parcels that are conveyed by the County pursuant to the § 72-h transfer program set forth at § A36-2(B) of the Article.
3. The deed restrictions set forth in § A36-2(B)(2) of this Article shall apply to any property transferred pursuant to this section. In addition, any deed of conveyance shall contain a restriction that the property so conveyed shall be owner-occupied and utilized as provided herein. Failure to comply with the restrictions shall result in the property reverting to the County of Suffolk.
4. For each property transferred hereunder that is not yet occupied, the grantee shall provide the Director with an annual report setting forth the status of development of the parcel transferred hereunder, including the status of municipal approvals and funding sources. For each parcel that is occupied, the grantee shall provide the Director with an annual report setting forth the property sales price, verify that the property is owner-occupied and affirm that the income requirements for owner-occupants have been met.
5. The consideration paid to the County of Suffolk for any parcel transferred hereunder shall be the County's investment in the property, including taxes and other charges paid or payable by the County, in connection with such property.
6. The Director shall establish written rules and procedures to implement this program. Such procedures shall include minimum financial, management and housing development qualifications for not-for-profit corporations seeking to participate in the program. The Director shall ensure that not-for-profit corporations participating in this program are provided with information on all parcels in the County's surplus real property inventory on no less than a monthly basis.

II. Section (F) of § A36-2 of the SUFFOLK COUNTY ADMINISTRATIVE CODE is hereby re-lettered (G) and Section (G) of § A36-2 is hereby re-lettered Section (H).

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon filing in the Office of the Secretary of State.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: