

Yorktown Community Housing Board

Proposed reinstatement of
Section § 102

Affordable Housing Set-Aside

Presentation to Town Board April 14, 2026



§ 102-1. Findings; policy. The Yorktown Town Board finds that:

Town has a shortage of affordable housing due to the high cost of housing which impacts the general welfare of Town and residents, the municipal & school district workforce, first responders, and other essential workers;

The social and economic diversity of the Town is dependent upon a reasonable supply of affordable housing;

Certain development projects attract new residents to the Town, placing pressure on the supply and availability of affordable housing;

The Town's Comprehensive Plan supports the creation of affordable housing within the Town;

The Yorktown Community Housing Board administers the Town's affordable housing program and establishes affordability guidelines;

It is the policy of the Town to require builders of new housing to incorporate affordable housing within their developments.

§ 102-2. Applicability.

- **applies to all zones allowing residential uses**; also applies to developments with residential units which will require zoning changes, variances, special exceptions, site plan approval, or other discretionary approvals from the Town.
- **does not apply** to any new development:
 - comprised of less than ten (10) units.
 - which has obtained all Town approvals including site plan approval prior to the effective date of this chapter.
 - which already contains ten (10%) percent or more affordable housing units mandated by deed restrictions or regulatory agreements from County, State or Federal agencies.
- **doesn't apply** to Affordable Housing Units created prior to the effective date of this chapter;
 - subject solely to Section 300-39 of the Town Code and the deed restrictions associated with those units.



§ 102-3. Purpose.

ensure that **new residential development** in the Town includes a **reasonable supply** of affordable housing to **address housing needs**.

sets forth **standards** for affordable housing to be provided in conjunction with new residential developments.

provision of such housing may be achieved through the conveyance of land and the **construction of fair and affordable housing units** in the residential developments.



§ 102-5. New Residential Development Requirements

New single-family or multi-family residential developments.

Ten percent (10%) of the units in any residential development of land in any zoning district shall be established as Fair and Affordable Housing Units (AHUs):

- construction of AHUs on the site of the proposed development;
- within all new residential developments of ten (10) or more units:

Development Size	Required AHUs
1 to 9 units	0
10 to 19 units	1
20 to 29 units	2
30 to 39 units	3
40 to 49 units	4

each additional ten (10) new units or part thereof shall require one (1) additional AHU.

§ 102-6. Provisions Applicable to Affordable Housing Units

- **Siting of AHUs.** All AHUs shall be situated **within** the proposed development and be **no less accessible** to public amenities, such as open space, than the market-rate units.
- **Minimum design and construction standards for AHUs.** AHUs shall be **integrated** with the rest of the development, shall be **similar** in appearance, siting, and exterior design to the furthest extent practical, and shall be **distributed** among various unit sizes (efficiency, one-, two-, three-, and four-bedroom units) **consistent** with the other units in the development. From the outside or building exteriors, the AHUs shall be similar in appearance to the market rate units.

Occupancy Standards:

<u>Unit Size</u>	<u>Min People</u>	<u>Max People</u>
Efficiency	1	1
1 Bedroom	1	3
2 Bedroom	2	4
3 Bedroom	3	6
4 Bedroom	4	8

Minimum Floor Area: no less than specified below or the size of the market rate units in the development, whichever is less:

<u>Dwelling Unit Size</u>	<u>Minimum Gross Floor Area (square feet)</u>
Efficiency	450
1 Bedroom	675
2 Bedroom	750
3 Bedroom (including at least 1.5 baths)	1,000
4 Bedroom (including at least 1.5 baths)	1,200

§ 102-6. Provisions Applicable to Affordable Housing Units



- **Affirmative Marketing.** The AHUs shall be sold or rented and resold and re-rented during the required period of affordability, to only **qualifying income-eligible households**.
- **Initial Sale or Rental Price.** YCHB shall establish the initial maximum monthly rent for a for-rent AHU or the maximum gross sales price for a for-sale AHU unit.
- **Time Period of Affordability and Property Restriction.** AHU Homeownership units shall remain **permanently affordable**. AHU Rental units shall remain affordable for **at least fifty (50) years** from date of initial certificate of occupancy for the rental property.
- **Timing of construction or provision of AHUs.** Construction of AHUs shall **occur proportionately** with construction of the market rate units in the development.

§ 102-6. Provisions Applicable to For-Sale AHUs

Deed Restrictions of For-Sale AHUs. In the case of **owner-occupied** affordable AHUs, the maximum resale price shall be **the lower of:**

(a) the net **purchase price paid for the unit** by the selling owner, increased by the **percentage increase in the Consumer Price Index (CPI)** for Urban Wage Earners and Clerical Workers in the New York-Northern New Jersey Area, as published 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 owned the unit as evidenced by paid receipts and written approval received from the YCHB, or

(b) **the price affordable to a household at 80% of AMI** at the time the unit is offered for resale.

A homeownership AHU must be occupied by the eligible purchaser as his/her primary residence. Some temporary extenuating circumstances are provided for in the law (such as the need to care for an ill family member out of town).



§ 102-6. Provisions Applicable to Rental AHUs



- **Rents, Leases and Lease Renewals of Rental AHUs.** The rents for both initial leases and renewal leases offered for rental AHUs shall not exceed the maximum of the Low Home rents for the applicable unit size at the time the leases are offered.
- **Lease Term.** Eligible selected applicants for rental AHUs shall sign leases for a term of **no more than two (2) years**. As long as a resident remains eligible and has complied with the terms of the lease, resident shall be offered renewal leases for a term of no more than two (2) years each.
- **A Tenant of a rental AHU shall be required to submit** the names of, and income documentation for, all occupants of the AHU to the Owner or Manager of the AHU for the purpose of verifying the Tenant's continued eligibility to lease the unit.

§ 102-6. Provisions Applicable to Rental AHUs



- **Continued eligibility.** 120 days prior to lease expiration, the Owner or Manager **requests income documentation** from Tenant.
- The Owner or Manager shall review eligibility based on the rent and income guidelines provided by the YCHB in effect at that time.
- If Tenant remains eligible, **Tenant is offered a renewal lease** at a rent no greater than the Low HOME Rent for the unit size occupied.
- If the Tenant **fails to submit income documentation** for all occupants, Owner shall not offer Tenant a renewal lease and shall **terminate Tenant's lease**.

§ 102-6. Provisions Applicable to Rental AHUs

Nothing precludes Owner / Manager from:

- following **standard industry practices** in evaluating the background and credit history of prospective tenants and making reasonable business judgements regarding the **acceptability of applicants**.
- **enforcing the terms of the lease** and rules and regulations, including initiating an action in court for non-payment of rent or for holdover in an AHU after lease termination for cause or ineligibility.

Security deposit requirements of eligible rental AHUs shall be limited to one (1) month rent deposit.

YCHB shall inform Owner or Manager of the rent and income eligibility requirements on or before May 31 of each year.



§ 102-6. Provisions Applicable to Rental AHUs



- **If Tenant's income** documentation establishes that Tenant's annual gross income **exceeds by more than 40%** the maximum income for eligibility then allowable, the Tenant may **complete** the Tenant's current lease term.
- **If a non-restricted 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 non-restricted rental units, **the Owner or Manager shall offer the Tenant a lease for such non-restricted 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 Tenant a renewal of the lease beyond the expiration of said term.

Is Yorktown an outlier? What do our neighbors require?

Municipality	Set-aside	Special / Key Incentives	Single family zones	Multi family zones
Bedford	10%	If developer is not providing affordable housing, such as subdivisions of four or less units, developer asked for fee in lieu, funding affordable housing development.	For 5 or more units, no less than 10% or 1 AHU (rounded). Example 17 units would require 2 AHUs.	At least 20% required to be AHUs.
Cortlandt	10%	Applied within Community Business Development (CBD) floating zone		
Croton-on-Hudson	10%	Voluntary density waiver available for developers who exceed the minimum requirement	For 10 or more units, no less than 10% or 1 AHU (rounded). Example 10-14 = 1 AHU, 15-24 units requires 2 AHUs.	For 10 or more units, no less than 10% or 1 AHU (rounded). Example 10-14 = 1 AHU, 15-24 units requires 2 AHUs.
Mount Kisco	None	Operates public housing and Section 8 programs through Mt Kisco Housing Authority, including Kisco Gardens and 109 vouchers.	N/A	N/A
Ossining	10%	10% density bonus available; ETPA opt-out requires 20% set-aside at ≤50% AMI	6+ unit developments (new or substantial rehab)	
Somers	Recent drop from 20% to 10%-15%	Affordability required permanently (not just 50 years).		MFR-BP (Baldwin Place) multifamily floating zone requires 15% AHUs

Missed Opportunities

Chapter 102 Affordable Housing Set-aside only applies to new developments. But as a frame of reference, if this law had been in place and applied to new developments approved over the past few years, **45 affordable units** would have been created, in place of 45 luxury units.

- AMS Yorktown Development, LLC - two 4-story multi-family buildings containing 180 dwelling units of age-restricted housing, would have yielded **18 affordable age-restricted units.**
- Underhill Farms - 148 dwelling units would have yielded **14 affordable condominium or apartment units.**
- Toll Brothers - 118-unit active-senior development on Catherine Street would have yielded **11 affordable age-restricted units.**
- Hallocks Square – 23 condominium units would have yielded **2 affordable units.**



Maximum Income Qualifications

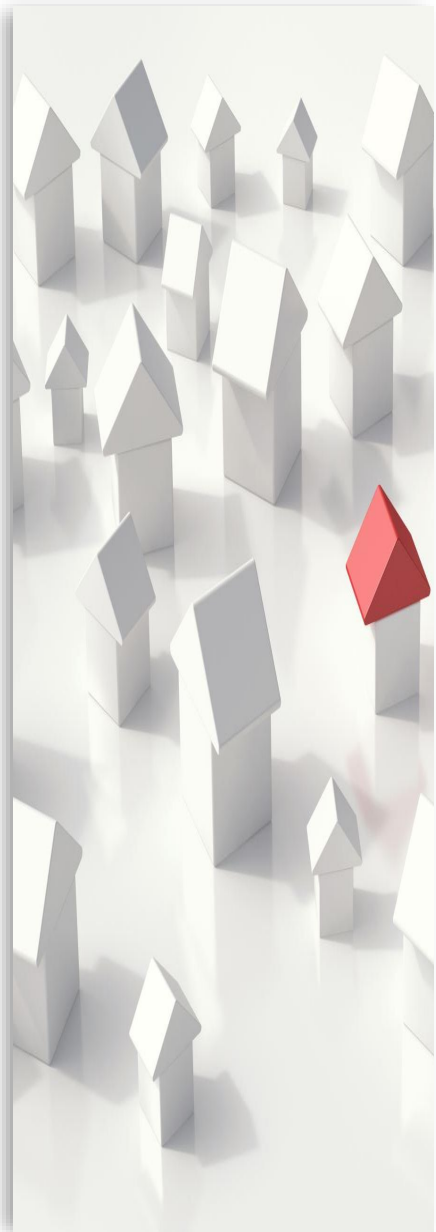
Town Code Section 300-39 (c) Eligibility.

(1) Eligibility of purchaser. To be eligible to purchase affordable housing, a household's aggregate income **shall not exceed 80% of the area median income (AMI)** for Westchester County...

Eligibility of renter. To be eligible to rent affordable housing, a household's aggregate income **shall not exceed 60% of the area median income (AMI)** for Westchester County...

In April 2026, those amounts are:

Income Limits	1 Person	2 Persons	3 Persons
100% AMI	\$119,000	\$136,000	\$153,000
80% AMI	\$95,200	\$108,800	\$122,400
60% AMI	\$71,400	\$81,600	\$91,800



Can our Town Employees afford rent?

In April 2026, those amounts are:

Income Limits	1 Person	2 Persons	3 Persons
100% AMI	\$119,000	\$136,000	\$153,000
80% AMI	\$95,200	\$108,800	\$122,400
60% AMI	\$71,400	\$81,600	\$91,800

Salaries of selected Town Employees 2026

	Annual Income	30% of annual income	Monthly rent at 30% of income
Senior Account Clerk	\$95,494	\$28,648	\$2,387
Heavy Motor Operator	\$85,283	\$25,585	\$2,132
Maintenance Mechanic	\$85,283	\$25,585	\$2,132
Maintenance Worker Repair	\$81,073	\$24,322	\$2,027
Auto Mechanic	\$78,539	\$23,562	\$1,963
Office assistant-automated	\$75,134	\$22,540	\$1,878
Machine equipment operator	\$71,596	\$21,479	\$1,790
Senior Library Clerk	\$71,592	\$21,478	\$1,790
Meter Reader	\$63,222	\$18,967	\$1,581
Intermediate Clerk	\$60,975	\$18,293	\$1,524
Laborer	\$54,585	\$16,376	\$1,365



Sample Rental prices in Yorktown:

- 670 East Main St, 3BR, 1,700 SQ FT, \$4,300/month
- 370 Underhill Ave, 1 BR, 900 SQ FT, \$3,900-\$4,025/mo.
- 385 Kear Street, 2BR, 850 SQ FT, \$3,700/month
- 1870 Baldwin Rd, 2BR, 1,300 SQ FT, \$3,300/month
- 21 Scenic View, 2 BR 1,050 SQ FT, \$3,300/month
- 1860 E. Main St, Mohegan, 515 SQ FT, \$1,950/month

ALICE = Asset Limited Income Constrained Employed

Zip Code	Total Households	# Poverty Households	# ALICE Households	# Above ALICE Threshold	% Below ALICE Threshold
10517 - Crompond	165	10	58	97	41%
10535 - Jefferson Valley	196	36	87	73	63%
10547 - Mohegan Lake	2,787	245	627	1,915	31%
10588 - Shrub Oak	1,108	20	227	861	22%
10598 - Yorktown Heights	10,299	425	2,116	7,758	25%
Total	14,555	736	3,115	10,704	26.5%

ALICE Households live paycheck to paycheck, struggling as wages fail to keep pace with the rising cost of household essentials (housing, childcare, food, transportation, health care and a basic smartphone plan). Households below the ALICE Threshold can't afford the essentials.



Data as of March 2026

Questions?

