

**TOWN OF GOSHEN
INTRODUCTORY LOCAL LAW NO. 1 of 2018**

**A LOCAL LAW REPEALING THE MANDATORY AFFORDABLE HOUSING
PROVISIONS IN THE TOWN ZONING CODE**

BE IT ENACTED by the Town Board of the Town of Goshen, Orange County, New York as follows:

SECTION 1. FINDINGS.

Over the last year, the Town Board of the Town of Goshen has been reviewing the affordable housing stock in the Town, as well as the Town Code provisions requiring mandatory affordable housing. The Town Board has found that the law as it exists is unworkable, and does not necessarily result in providing homes that are considered affordable. In its review, the Town further found that, were the mandatory requirements omitted from the Town Code, there is still the opportunity for sufficient affordable housing to be constructed within the Town.

SECTION 2. PURPOSE.

The purpose of this local law is to repeal various provisions of the Code of the Town of Goshen to omit the requirement for mandatory affordable housing.

SECTION 3. CHAPTER 310: ZONING.

Section 97-15(L) of the Code of the Town of Goshen is hereby repealed.

Section 97-15(P)(4) of the Code of the Town of Goshen is hereby repealed.

Section 97-18(F) of the Code of the Town of Goshen is hereby repealed.

Section 97-24 of the Code of the Town of Goshen is hereby repealed.

The definition of “affordable housing” in Section 97-84 of the Code of the Town of Goshen is hereby amended to repeal “as determined by the Affordable Housing Committee. See § 97-24B.”

SECTION 4. EXISTING APPROVALS.

To the extent that any project has completed the subdivision review process before the Planning Board, whether or not a plat has been filed with the Orange County Clerk’s office, there shall no longer be a requirement for mandatory affordable housing. Said projects shall return to the Planning Board for an amendment to that approval to remove this requirement. To the extent the Town’s Zoning Code has been amended since the approval of any such project, and the project has achieved statutory or common law vesting in prior zoning, the referenced Planning Board amendment required herein shall not impact the project’s vested status.

SECTION 5. SUPERSEDING PROVISION.

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws, including, but not limited to Article 7 of the New York State Town Law, and the common law regarding subdivision vesting, are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

SECTION 6. SEVERABILITY.

If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE.

This law shall take effect upon the filing of this Local Law with the New York Secretary of State in the manner provided for in the Municipal Home Rule Law.