

# **Housing Needs Studies and Plans**

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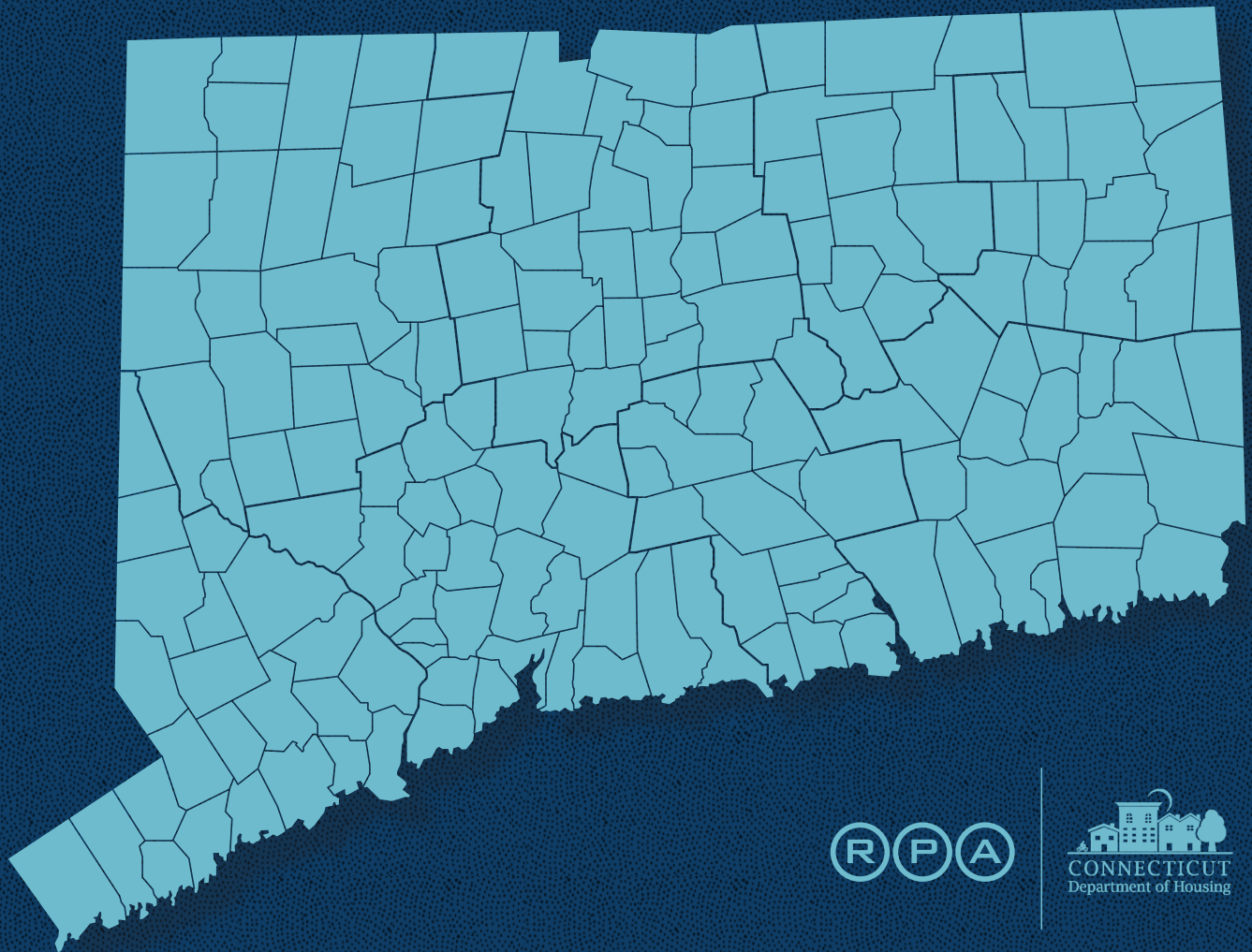
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# Planning for Affordability in Connecticut



Affordable Housing Plan and  
Process Guidebook



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**The Department of Housing's mission** is to ensure everyone has access to quality housing opportunities and options throughout the State of Connecticut.

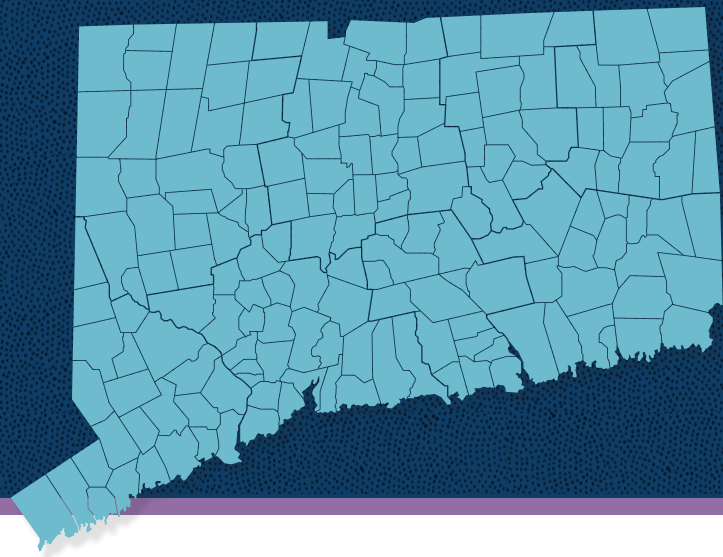


**Regional Plan Association** is an independent non-profit civic organization that develops and promotes ideas to improve the economic health, environmental resiliency, and quality of life of the New York metropolitan area. RPA conducts research on the environment, land use, and good governance, and advises cities, communities, and public agencies.

# Planning for Affordability in Connecticut



Affordable Housing Plan and Process Guidebook



## CONTENTS

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### **Introduction / 4**

#### **Why Plan For Affordable Housing? / 5**

What is § 8-30j and what does it mean for my town? / 5

How does the affordable housing plan relate to § 8-30g? / 6

How Does the affordable housing plan relate to the Plan of Conservation and Development? / 6

#### **Equity, Opportunity, And Housing / 7**

#### **Building Support for an Affordable Housing Plan / 9**

Creating an Affordable Housing Committee / 9

Creating an inclusive planning process and communications strategy / 11

#### **What to Include in an Affordable Housing Plan / 17**

Community Values Statement / 17

History of affordable housing in your town / 17

Housing needs assessment / 17

Land use and zoning assessment / 19

Understanding your housing market / 19

Plan principles, goals, and actions / 22

#### **Appendix A: Affordable Housing Plan Checklist / 27**

#### **Appendix B: Housing Needs Assessment Datasets / 27**



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# Introduction

The Connecticut Department of Housing, together with Regional Plan Association and partners across the state, have worked together to create this guidebook to help municipalities develop their local affordable housing plans, as required by state statute § 8-30j.

While § 8-30j requires all towns to create an affordable housing plan by spring 2022, it doesn't specify what should be included, leaving many local communities with questions, like:

- ▶ What exactly is an affordable housing plan and what should be included?
- ▶ How does this plan fit in with my town's other planning documents, like our Plan of Conservation and Development?
- ▶ How do we create a plan for affordable housing when it can be such a hot button issue in our town?

This guidebook focuses on answering these important questions on the process for creating the plan, not just to comply with § 8-30j, but to help towns make the most of the opportunity to come together to plan for housing affordability. The high cost of housing in Connecticut is well known and commonly accepted as the tradeoff for the amenities our state offers. But it doesn't have to be that way. Connecticut can be a great place to live and provide housing options for people at all levels of income.

Planning for more affordable homes is an important first step in changing the common narrative of opposition and creating space for productive community conversations around affordability.

Rather than an obstacle to be surmounted, the planning process is a chance to bring people together, connecting affordable homes to community values like equity and diversity. Through the process, local leaders and residents can build a shared understanding of how homes that meet the needs of current and future residents can improve the overall health and economic vitality of their towns by creating space for a variety of housing that meets the needs of people of different ages and incomes.

This guidebook provides a framework for engaging communities in the planning process and recommendations for creating specific elements of the plan, including how to:

- ▶ Design and carry out a community engagement and communications strategy;
- ▶ Conduct a housing needs assessment;
- ▶ Evaluate local land use and zoning to identify barriers to affordable housing development;
- ▶ Understand the role of local and regional housing market conditions in financing affordable housing development;
- ▶ Create a Community Values Statement;
- ▶ Develop plan principles, goals, and actions; and
- ▶ Apply best practices to implement the plan.

Although one size doesn't fit all, the set of strategies and tools provided in this guidebook are intended to serve as a synthesized set of resources that make it easier for towns to successfully plan for more affordability.

# Why Plan For Affordable Housing?

When it comes to housing development, towns very often find themselves in a reactive rather than a proactive position.

Some residents may voice strong opposition to development proposals at public meetings and on social media. There are many reasons why there is initial opposition to proposed development plans, including the human tendency to resist change, resident concerns about impacts on traffic and school enrollment, and implicit and explicit bias around residents of affordable housing. But the truth is that affordable housing is an investment in our communities; it is the catalyst for better jobs, talent retention, health, wellbeing and quality of life in Connecticut.

## How can an affordable housing plan help shift the narrative?

People across the state acknowledge that Connecticut is an expensive place to live and that the lack of affordability in many communities means that young people can't afford to live in the towns where they grew up, older residents can't afford to downsize from single-family homes to an apartment in their community, and people employed in lower paying jobs within communities can't afford to live where they work. An affordable home is a powerful shaping force for all of us. The COVID-19 crisis has heightened awareness of the role that our homes play as a critical foundation, especially during difficult times. With students learning from home, many people working from home, and everyone seeking refuge as we weather the pandemic, the connection between our homes and our social and economic health is clearer than ever. This moment of crisis is a real opportunity for all communities to pause and reflect on what we mean when we say, "We're all in this together," and work to create an inclusive and equitable recovery where there is room for all, and not just some, in every town.

## WHAT IS § 8-30J AND WHAT DOES IT MEAN FOR MY TOWN?

Effective July 24, 2017, Connecticut General Statutes, Title 8, Chapter 126a, § 8-30j requires every municipality in the state to prepare an affordable housing plan at least once every five years. Under this statute, municipalities have until July 2022 to adopt an affordable housing plan.

### The statute provides that:

- ▶ At least once every five years, every municipality must prepare or amend and adopt an affordable housing plan.
- ▶ The plan must specify how the municipality intends to increase the number of affordable housing developments within the municipality.
- ▶ The municipality may hold public informational meetings or organize other activities to inform residents about the plan development process.
- ▶ The municipality must provide at least 35 days notice for a public hearing on adoption of the plan and must make the draft plan available to the public for review prior to such public hearing.
- ▶ Following adoption, the municipality must regularly review and maintain their affordable housing plan.

While these requirements provide a good starting point for creating and adopting an affordable housing plan, many municipalities have reached out to the State of Connecticut Department of Housing requesting additional guidance on what should be included in a local affordable housing plan and how to create one. This Guidebook is intended to answer those questions by providing a best practices guide for both the process of developing an affordable housing plan and the elements of the plan document itself. It is not intended as a set of requirements that towns must adhere to, but rather as a helpful tool to assist municipalities in their local efforts to create meaningful and effective local affordable housing plans.

## HOW DOES THE AFFORDABLE HOUSING PLAN RELATE TO § 8-30G?

Long, drawn out legal battles over development are costly for everyone, developers included, and time and again the development community has stated the desire for direction from towns on affordable housing development. By working to create a local plan, towns get the opportunity to thoughtfully plan for affordable housing and developers get more clarity on what types of applications are most likely to meet with success in local communities.

In Connecticut today, many towns address affordable housing development on a case by case basis in relation to Chapter 126a, § 8-30g of the Connecticut General Statutes, the “Connecticut Affordable Housing Land Use Appeals Procedure.” § 8-30g includes an appeals procedure where the courts may override local zoning denials of affordable housing proposals in towns where less than 10% of the housing stock is affordable and the town has not achieved a moratorium for demonstrating progress towards the 10% goal. Under § 8-30g, the burden of proof of just cause for denial of an application is on the municipality. By planning for affordable housing, municipalities can better address § 8-30g with thoughtful goals and actions that encourage developers to avoid contentious applications by proposing development consistent with the town’s affordable housing plan.

## HOW DOES IT RELATE TO THE PLAN OF CONSERVATION AND DEVELOPMENT?

A simple step to ensure that your town’s affordable housing plan is a meaningful, effective document is to make it a part of your town’s Plan of Conservation and Development (POCD). Per Chapter 124, § 8-23, all municipalities are required to prepare or amend and adopt a POCD once every ten years. Failure to adopt a POCD can result in limitations on a municipality’s eligibility for certain discretionary state funds. While there is no state statutory mandate that local land use regulations and decisions be consistent with your Plan of Conservation and Development, § 8-2 of the Connecticut General Statutes states that zoning regulations, “shall be made in accordance with a comprehensive plan,” and in adopting such regulations the responsible municipal body, “shall consider the Plan of Conservation and Development.”

A municipality may make consistency between its zoning and POCD more explicit by adopting a local policy as part of its POCD and zoning regulations requiring consistency between the two documents, even though state law does not require it. Including a policy statement on consistency between the POCD and your land use regulations makes your plan more meaningful with respect to implementation. By incorporating the affordable housing plan into the POCD, your municipality can strengthen the standing and effectiveness of the affordable housing plan as a guiding document for land use and zoning regulations and decisions.

### CHAPTER 126a AFFORDABLE HOUSING LAND USE APPEALS

#### Table of Contents

[Sec. 8-30g. \\*\(See end of section for amended version of subsection \(l\) and effective date.\) Affordable housing land use appeals procedure. Definitions. Affordability plan. regulations. Conceptual site plan. Maximum monthly housing cost. Percentage-of-income requirement. Appeals. Modification of application. Commission powers and remedies. Exempt municipalities. Moratorium. Model deed restrictions.](#)

[Sec. 8-30h. Annual certification of continuing compliance with affordability requirements. Noncompliance.](#)

[Sec. 8-30i. Sales price of certain housing subject to affordable housing deed restriction or limitation of bylaws of condominium unit owners' association.](#)

[Sec. 8-30j. Affordable housing plan. Hearing and adoption. Amendments. Filing requirement.](#)

**Sec. 8-30g. \*(See end of section for amended version of subsection (l) and effective date.) Affordable housing land use appeals procedure. Definitions. Affordability plan; regulations. Conceptual site plan. Maximum monthly housing cost. Percentage-of-income requirement. Appeals. Modification of application. Commission powers and remedies. Exempt municipalities. Moratorium. Model deed restrictions. (a) As used in this section and section 8-30j:**

(1) “Affordable housing development” means a proposed housing development which is (A) assisted housing, or (B) a set-aside development;

(2) “Affordable housing application” means any application made to a commission in connection with an affordable housing development by a person who proposes to develop such affordable housing;

(3) “Assisted housing” means housing which is receiving, or will receive, financial assistance under any governmental program for the construction or substantial rehabilitation of low and moderate income housing, and any housing occupied by persons receiving rental assistance under chapter 319u or Section 1437f of Title 42 of the United States Code;

(4) “Commission” means a zoning commission, planning commission, planning and zoning commission, zoning board of appeals or municipal agency exercising zoning or planning authority;

(5) “Municipality” means any town, city or borough, whether consolidated or unconsolidated;

(6) “Set-aside development” means a development in which not less than thirty per cent of the dwelling units will be conveyed by deeds containing covenants or restrictions which shall require that, for at least forty years after the initial occupation of the proposed development, such dwelling units shall be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty per cent or less of their annual income, where such income is less than or equal to eighty per cent of the median income. In a set-

### § 8-30j LEGISLATION

#### Affordable housing plan. Hearing and adoption. Amendments. Filing requirement.

(a) At least once every five years, each municipality shall prepare or amend and adopt an affordable housing plan for the municipality. Such plan shall specify how the municipality intends to increase the number of affordable housing developments in the municipality.

(b) The municipality may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan. If the municipality holds a public hearing, at least thirty-five days prior to the public hearing on the adoption, the municipality shall file in the office of the town clerk of such municipality a copy of such draft plan or any amendments to the plan, and if applicable, post such draft plan on the Internet web site of the municipality. After adoption of the plan, the municipality shall file the final plan in the office of the town clerk of such municipality and, if applicable, post the plan on the Internet web site of the municipality.

(c) Following adoption of the plan, the municipality shall regularly review and maintain such plan. The municipality may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. If the municipality fails to amend such plan every five years, the chief elected official of the municipality shall submit a letter to the Commissioner of Housing that explains why such plan was not amended.

# Equity, Opportunity, And Housing

## Housing is the cornerstone of opportunity in Connecticut and across the country.

Harvard Professor Ras Chetty's seminal Opportunity Atlas,<sup>1</sup> which maps the childhood roots of economic mobility, makes the case that the neighborhood where a child grows up impacts their access to opportunity as an adult. Not surprisingly, access to high opportunity census tracts is very often limited by a lack of housing affordability, and areas of opportunity are predominantly occupied by white people. This is not an accident.

The history of redlining, racial steering, and other discriminatory housing policies and practices, including racially restrictive covenants and the placement of affordable housing, is embedded into the fabric of communities. In many instances this continues to be perpetuated by local land use and zoning regulations. The 1968 Fair Housing Act was intended to protect individuals and families from discriminatory housing practices, but barriers to fair housing continue to persist today. This is certainly true in Connecticut, which is one of the most residentially segregated places in the country.

When talking about land use in our state and across the country, we are faced with an underlying question: how to address our history, which has affirmed white people's access to wealthier suburbs while excluding people of color? Nearly 90 years after the first redlining maps appeared, we can still see the wide social and spatial disparities resulting from the policies of segregation that shaped our state. To address this, we need to do many things. First and foremost is to acknowledge and understand this history.

**Housing segregation in Connecticut did not happen by chance.**

It is the result of accumulated policy decisions over multiple generations that legalized and allowed market forces to produce segregated city neighborhoods and suburbs. Federal policies pre- and post-WWII influenced financial systems to institutionalize discrimination, and local approaches to land use control show us how segregation proliferated and later normalized within our state.

One of the programs that had the most influence in segregating neighborhoods was redlining, due to the changes it encouraged in the financing of new housing starting in the early 20th century. In 1933, the Home Owners Loan Corporation (HOLC) developed investment risk grade maps based on neighborhood racial make-up and building conditions to help lenders decide where the "safest" areas for investment were located. Any significant number of Black residents would almost always mean a rating of "hazardous" (the lowest possible) for a neighborhood. These neighborhoods were outlined in red on the HOLC maps, hence "redlining." While HOLC did not actually invest or divest a significant amount of capital according to these maps, private entities adhered to them much more stringently. This created widespread disparities between neighborhoods that saw loans for new housing and those that did not, decisions based most clearly around race. This biased policy denied access to capital investment, which could have improved housing and economic opportunities in communities of color.

Alongside racialized divestment encouraged by HOLC's lending guidelines, the Federal Housing Administration (FHA) developed uniform standards that made single-family housing the standard for American suburbs during and after the New Deal and the Roosevelt administration. The National Housing Act of 1934 encouraged the construction of single-family homes over multi-family homes, offered little in terms of assistance for building modernization of the existing housing stock, and required building and loan appraisals that favored suburban, white housing.

<sup>1</sup> <https://www.opportunityatlas.org/>

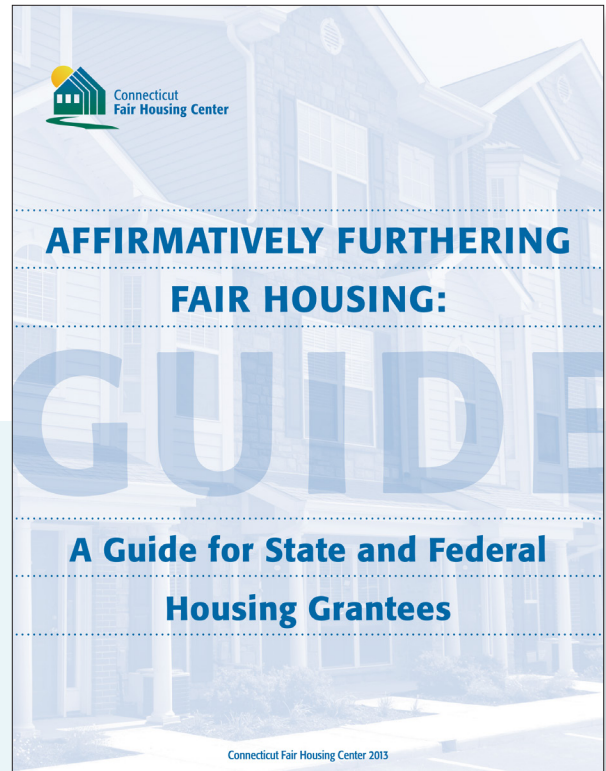


In addition to the favorable financial conditions made available to suburban homeowners, most suburban localities were given the ability to maintain racial and economic segregation through the use of exclusionary zoning barriers, most noticeably by imposing single-family districts all across their jurisdictions. Most localities still do this by requiring large residential lots, high parking ratios, onerous dimensional restrictions, and even occupancy requirements.

Under the Trump administration, the federal government repealed the Affirmatively Furthering Fair Housing rule (AFFH), which had required local governments to proactively ensure fair housing in order to receive federal funding. AFFH was designed to give more teeth to the Fair Housing Act in combating segregation, and was praised by civil rights groups at the time. In Connecticut, an AFFH Analysis of Impediments to Fair Housing continues to be a required part of any application for funding through the state's Department of Housing.

As a direct result of these historical policies and failure to meaningfully advance fair housing, Connecticut allocates a disproportionate amount of land towards large single-family detached houses, primarily owned by wealthier white communities. The increasingly expensive housing market in combination with racial segregation is a key factor in the wealth gap between people of color and their white counterparts in Connecticut. The nexus between these policies and our segregated state can also be observed when examining the neighborhoods that received favorable HOLC grades and comparing those that were labeled as "high risk". Areas that received favorable grades are still today predominantly white, have higher incomes, and their housing stock has a higher share of single-family units. Conversely, neighborhoods that received high-risk grades, tend to have a higher percentage of people of color, lower household incomes, and a higher share of crowded living quarters. These patterns are somewhat weaker in areas that have experienced gentrification. But even after 90 years, significant disparities are still correlated with those historical risk grades.

Effectively addressing this disparity is a complex challenge. But one simple solution to creating more equitable housing in Connecticut is to plan for and build more affordable housing in all communities. Connecticut's housing stock should reflect the needs of all residents with housing choice in every community. Creating a local affordable housing plan is a tangible way that municipalities throughout the state can initiate conversation and take action to create more diverse communities with housing for people at all levels of income.



## Affirmatively Furthering Fair Housing

While the 1968 Fair Housing Act was intended to protect individuals and families from discriminatory housing practices and requires affirmatively furthering fair housing, barriers to fair housing continue to persist today. In 2015, the Obama administration promulgated the Affirmatively Furthering Fair Housing Rule, requiring municipalities that receive Federal Housing and Urban Development (HUD) funding to examine whether there are any barriers to fair housing in their communities that promote bias against any protected class under the Fair Housing Act and to create a plan for rectifying those barriers. This includes protection against discrimination based on race, skin color, national origin, religion, disability, sex, or familial status. And in Connecticut also prohibits housing discrimination on the basis of sexual orientation, age, marital status, source of income, or gender identity or expression.

*For detailed information on AFFH requirements in Connecticut and how to meet them, please reference the [Connecticut Fair Housing Center's AFFH guidebook](#).*

# Building Support for an Affordable Housing Plan

## CREATING AN AFFORDABLE HOUSING COMMITTEE

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One of the most critical factors for success in any planning effort is local leadership. A key first step in creating a local affordable housing plan is to identify a leadership team to spearhead the effort.

Strong and vocal leaders who believe in the effort and are willing and able to put in the time necessary to recruit, support, communicate and carry out an inclusive planning process is essential to developing a meaningful plan.

A champion can be a chief elected official who is passionate about the issue of affordable housing or a group of community leaders who come together to form a local affordable housing committee. Ideally both the chief elected official and community leaders are working together towards the common goal of elevating the issue of affordable housing in the community. A local affordable housing committee can form organically with a group of concerned citizens coming together to advocate and

plan for affordable housing in collaboration with the municipality. Or a committee can be appointed by the municipality's elected officials to take on the role and lead the effort. In both cases, leadership should work to ensure the committee consists of a diverse group of people representing different demographics and perspectives.

**The affordable housing committee plays several important roles:**

- ▶ Bringing together local leaders to proactively plan for affordable housing.
- ▶ Creating a constituency of advocates for more affordability in the community.
- ▶ Providing support to elected and appointed local officials on decision making related to affordable housing development.

Your affordable housing committee leaders can help your town identify the most effective ways to engage different sectors of the community. Elected officials, business owners, community advocates, and others involved in the planning process know the most effective ways to engage their sectors of the community. By sharing the message out broadly across the community via social media, news outlets, or other communication tools throughout the planning process, members of your leadership team can create sustained, broad-based support for your affordable housing plan.



Image by Iyrina Alex and RPA

# Connecticut Communities Take Action on Affordability

## Town of Fairfield Affordable Housing Committee

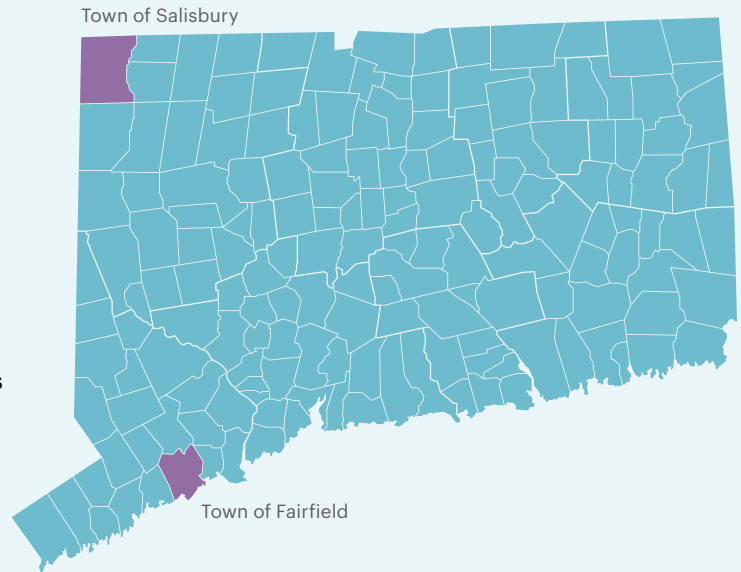
During the mid-1980's, faced with the rising home prices and concerns that the cost of housing was increasingly out of reach for some residents, the Town of Fairfield established an Affordable Housing Task Force to study the issue. The Task Force produced the Town's first Affordable Housing Plan in 1988, which began with this preamble from the Board of Selectmen:

*The affordability of housing for residents of Fairfield will become the most important concern of this administration in the coming years. The current disparity between current market values for housing and the incomes of many of Fairfield's young adults and elderly has generated a serious community need for affordable housing.*

In the immediate aftermath of this remarkable commitment, Fairfield moved aggressively to address the housing needs of its residents, setting aside town-owned property and dedicating funds for new housing development as well as amending its zoning regulations to permit accessory dwelling units and to encourage affordable housing through density bonuses and in mixed use developments.

In 2007, the "Task Force" was elevated by ordinance to a permanent standing committee, and charged with studying the need for affordable housing with the Town as well as making an inventory of suitable sites and identifying funding for its pursuit. The Affordable Housing Committee is also tasked with making an annual report on these issues to the Representative Town Meeting.

Fairfield's Affordable Housing Committee remains very active, and in 2014, produced its most recent update to the Town's Affordable Housing Plan, with funding support from the CT Department of Housing through its Housing for Economic Growth program. The Plan included eleven action steps to further the development of affordable housing, many of which the Committee has since implemented, including: the adoption of a town-wide inclusionary zoning regulation; the establishment of an Affordable Housing Trust Fund and the enactment of an inclusionary zoning fee of 0.005% on all new construction or building additions in Town.



## Town of Salisbury Affordable Housing Commission

The first community examination of the need for affordable housing took place 20 years ago at the Salisbury Forum, a two-day, Town-wide meeting to discuss the future needs of the Town. Affordable housing was identified as one of the most pressing priorities. This consensus resulted in the formation of the Salisbury Housing Trust, a 501(c)(3) that specializes in the construction of deed-restricted, single-family affordable homes.

In 2008 the Board of Selectman formed the Affordable Housing Advisory Committee, whose 16 members worked for 18 months before issuing a comprehensive and unanimous report. It called for the formation of a Salisbury Affordable Housing Commission (SAHC) to ensure an institutional commitment to the provision of Affordable Housing in the Town, and a Salisbury Affordable Housing Fund (SAHF) to support that mission. The SAHC and SAHF were created by Town Ordinance in 2010. The SAHC consists of nine volunteers appointed by the Board of Selectmen, including an architect, planner, engineer, former Selectman, member of the Board of Finance and local housing trust. Requests for financial support from the SAHF must be endorsed by the SAHC before going to the Selectmen or Town Meeting for approval.

In response to § 8-30j legislation requiring towns to create an affordable housing plan, the SAHC led the development of the Town's affordable housing plan in 2018. The Commission received a grant to hire an outside consultant to help plan and facilitate public forums to get input from residents on affordable housing needs and possible locations for projects that would go into the Plan. Each of two public forums attracted more than 100 citizens. The Commission wrote the plan, which was adopted by the Board of Selectmen.

## CREATING AN INCLUSIVE PLANNING PROCESS AND COMMUNICATIONS STRATEGY

The process that your town undertakes to develop an affordable housing plan is just as important as the plan that you create. To be effective as a guiding policy document that supports the development of affordable homes in your town, your plan needs the support of the local community. The best way to build support for your town's plan is to create an inclusive planning process that provides meaningful opportunities for resident participation in the process from the beginning.

Designing and executing an inclusive communications strategy for the development of your affordable housing plan is a critical first step in the plan development process. By providing meaningful opportunities for residents to help shape the plan, you engage residents in a productive dialogue on the policies and strategies that your town will ultimately work to advance to create more affordable housing.

Once adopted, your plan serves as a guide for elected and appointed officials who know they have the support of the community behind them as they make decisions on development applications.

Having a proactive plan that was developed with the community is an important tool for grounding decisions on future development applications, making evaluation easier and more transparent for all.

### Your Communications Strategy

A communications strategy outlines how your town will engage clearly and effectively with your community to create your affordable housing plan and will guide your community engagement activities. Creating and adhering to a transparent communications strategy will help increase productive participation in the planning process, build trust within your local community and build essential support for implementation of your plan. Critically, a communications strategy can help to frame a positive narrative around affordable housing in your community as an asset that relates to other community priorities such as economic and social sustainability.

### What should be included in your strategy?

A robust communications strategy should identify:

- ▶ **Audience:** Who you are communicating with about your affordable housing plan
- ▶ **Tools:** The mediums and platforms you will use to reach your audience
- ▶ **Engagement Sessions and Public Meetings:** A tentative schedule, plan, and budget for virtual and in-person community engagement sessions

- ▶ **Accessibility and Equity:** Strategies to ensure that your communications and engagement methods reach and are heard by people of different abilities as well as socioeconomic, racial, and cultural backgrounds
- ▶ **Content:** The messages and information you share about your affordable housing plan

### Audience

Your communications plan should clearly identify who your audience is. The audience will be the stakeholders and groups among whom you need to build support for your plan. This will likely include residents of your community, business owners, elected officials, educators, local developers, individuals who work in your community, and individuals who would live in your community if more affordable housing were available.

Consider how frequently or infrequently you already communicate with these constituencies and how you reach out to "hard to reach" groups. For example, you may already have systems in place to reach current residents of your community, but reaching those who work in your town might require different approaches. Brainstorming to identify such groups and the creative ways you can reach out to bring new voices to the table, including people who might like to move to your community, is an important opportunity to build broad support for affordable housing in your community.

Building a diverse coalition to support the creation and implementation of your plan begins with diverse plan leadership. Who is sitting at the table at meetings about your affordable housing plan? Do they represent the variety of stakeholders in the community? Whether your municipality already has an Affordable Housing Committee or is creating a committee or a special task force to meet the requirements of § 8-30j, thinking about the reach and diversity of who is around the table should be front and center as you embark on the plan development process.

### How do we create diversity at the leadership table if there is little diversity in the community?

This is a difficult question that many municipalities in Connecticut face. How does a town create a racially or socioeconomically diverse local leadership committee when many people of color are underrepresented in the community? Opportunities to consider include reaching out to advocates and community-based organizations within your town or adjacent municipalities and engaging people who work but don't live in your community by coordinating with local businesses.

### Tools

Your communication strategy should utilize multiple communication tools in order to reach and engage the broadest and most diverse audience possible. The more people that get involved in the planning process, the better. The following tools are useful to

consider when building out a communications strategy for your town. In choosing the tools you will use, it is important to keep in mind that you will need to meet your audience where they are rather than expecting them to come to you.

## Social Media

For engagement via social media we recommend utilizing the existing social media accounts you have access to through your municipal government, local advocacy organizations, and elected officials as well as the social media accounts associated with your Affordable Housing Committee members, as appropriate. Social media accounts are only as valuable as the amount of people they reach. We caution against creating new social media accounts specific to this effort, unless you have a coordinated plan to build and maintain the new accounts.. In most cases it is better to strategize how to grow the audience that engages with established accounts so community members stay engaged beyond the planning process.

It is helpful to have social media accounts across multiple platforms, including but not limited to Twitter, Facebook, Instagram, and LinkedIn. Although this guidebook broadly offers best practices for sharing social media content, we encourage communities to refer to other sources to gain a deeper understanding of specific social media platforms.

## Best Practices for Social Media Content

- ▶ Ensure your goals remain front and center by sharing content that is explicitly related to your affordable housing plan, including but not limited to: surveys, announcements, and educational materials like infographics and relevant news articles.
- ▶ Engage your audience by providing a call to action. Most often, this will be a hyperlink, whether it leads to a news article, a sign-up form for an engagement session, a survey, or a website to access further resources.
- ▶ Communicate quickly by minimizing the amount of text and using abbreviations where possible. Use active voice and an engaging tone that grabs attention.
- ▶ Involve other organizations in your content in order to broaden your reach by tagging the social media profiles of organizations related to your post, like advocacy groups, nonprofits, and/or faith-based organizations.
- ▶ Educate your audience by being direct and avoid using jargon, especially when explaining housing or planning terminology.
- ▶ Create an attractive, streamlined appearance by ensuring the dimensions of any graphics you share fit the platform you're using. Different social media, particularly Instagram and Twitter, will crop images when they appear in a user's feed. Many online resources can help you identify ideal dimensions<sup>2</sup> for social media graphics.

<sup>2</sup> <https://www.falcon.io/insights-hub/topics/social-media-management/social-media-images-guides/>

## Social Media Kits

If you're coordinating social media communications among multiple stakeholders - your municipality, Affordable Housing Committee, community groups, elected officials - a social media kit can be helpful. A social media kit is a document that includes draft social media posts as well as resources like hyperlinks and graphics. You will distribute the kit among the partners you're working with, making it easier for them to copy and paste and share your communications on their social media accounts, and ensuring that communications are consistent among your partners.

## Digital Communications

Does your municipality communicate information online through a town website or newsletter? If so, these can be ideal mediums to communicate information about your affordable housing plan. This is a good example, however, of a communications tool that will only reach some members of your audience, likely those that are already engaged with your municipality.

## News Media

Does your municipality communicate information through a town, county, or regional newspaper, or a local television channel or radio station? If so, you may want to consider leveraging these tools to communicate about your affordable housing plan. If you intend to run advertisements in these mediums, identify your budget as part of your communications strategy.

## Printed Material

Does your community have a central business district that generates heavy foot traffic? Are your residents accustomed to receiving mail from your municipality? If so, you may want to consider leveraging different print materials - flyers, mailers, leaflets, and the like - to reach your audience.

## Surveys

Whether conducted digitally or in person, surveys are a useful tool that you can use to simultaneously educate residents, gather information, and create meaningful participation in the planning process. We recommend using Google Forms, a free, user-friendly platform. Google Forms automatically generates easy-to-use analytics and summaries of survey responses that will help guide your planning process. It is easy to share Google Forms surveys via email or an embedded link, and they can be completed easily on computers or mobile phones. It is also easy to print a PDF form of the survey for use by those who will prefer a hard copy. While an online survey may be easy to use for many people in your community, it is important to also provide a printed survey option for those who may not have access to the internet or who may face accessibility or other barriers to utilizing an online survey tool.

Creating effective surveys is similar to creating effective engagement sessions: you will need to create an accessible tool that asks clear questions to help you get the information you need while keeping participants informed and engaged.

## We recommend the following:

- ▶ Limit the length of your survey to about 10 questions.
- ▶ Structure questions in ways that will make it easy to analyze responses (i.e., a multiple choice question will be clearer than a free response).
- ▶ Avoid using jargon or complicated language that might make your survey inaccessible.
- ▶ Be clear and concise about each of your questions, and define any housing or planning terms.
- ▶ Provide space at the end for individuals to add extra comments or contact someone with questions.

We also recommend collecting demographic information from survey participants so you can understand whether or not your survey responses are representative of the audiences you are hoping to reach.

## Engagement Sessions

You will need to plan for both in-person and virtual community engagement sessions. While in-person sessions have the benefit of being more hands-on, virtual sessions offer the advantage of being easier to attend without the barriers of transportation and travel time. Virtual engagement can also be used to extend engagement beyond the traditional public meeting conducted at a set time, with more frequent/on-going interaction, such as community asset mapping using dynamic web-based tools.

## All Events

- ▶ Decide on a clear goal for each engagement session.
- ▶ Create a clear outreach strategy to attract a diverse group of participants and ensure that your programming will be accessible to all participants.
- ▶ Determine up front what you would like to learn from the engagement session. With that end-goal in mind, craft a clear agenda and make it available to participants prior to the meeting so they know what to expect.
- ▶ Be efficient and intentional about your use of time. We recommend that events be no longer than two hours. Time of day is also an important consideration, as certain times of day will be more or less convenient for constituent groups such as parents, seniors, workers, etc.
- ▶ Use strategies such as sketching, placing dot stickers, or breakout discussion sessions to keep participants engaged and create opportunities for everyone's voice to be heard.

## In-Person Events

In the context of the COVID-19 pandemic, in-person events should be limited to reduce the spread of the virus. If and when communities determine it is safe to resume public events, some general guidelines to keep in mind include the following:

- ▶ Establish ground rules to ensure that everyone's voice is respected and heard and that one person doesn't dominate the conversation
- ▶ Provide facilitators for round table discussions to ensure that the conversation moves along and everyone around the table has an opportunity to share their thoughts
- ▶ Provide childcare
- ▶ Provide refreshments
- ▶ Provide for accessibility
- ▶ Provide for translation, as needed

There are a variety of formats for in-person events that can be used to share information, encourage dialogue, obtain feedback and build community support for a local affordable housing plan. Formats that encourage communication and collaboration are generally most effective at building trust and creating a sense of shared ownership. In person events can include-

- ▶ **Public information meetings:** Formal public meetings, typically auditorium style, where information is shared in a presentation format and the public has an opportunity to ask questions.
- ▶ **Public workshops:** Public workshops are typically more interactive than the more basic public meeting, and usually include a presentation that shares information on the project, followed by an interactive working session where community members have an opportunity to engage in brainstorming, breakout discussion sessions and interactive preference exercises, such as voting on ideas using dot stickers.
- ▶ **Design charrettes:** Charrettes are a great way to provide a hands-on experience for people to work together with professional facilitators to think through high level design solutions for creating affordable housing on potential sites. Rolling up your sleeves together and working with markers or a computer-based design platform can be a fun and interactive way to get community members thinking about opportunities and seeing their ideas immediately translated into potential solutions.
- ▶ **Open houses:** The open house format typically takes the form of an exhibit illustrating the planning process that you are undertaking and sharing information on work in progress. An open house can be set up in a public space like a library, school, or community center for a day, a few days, or a few weeks, giving the public an opportunity to view materials at their leisure. Typically on the first day of the open house, those spearheading the effort to develop the plan will

be on site to explain the project, answer questions, and solicit feedback. Interactive features can be built into exhibits to provide the public with an opportunity to share their feedback at other times throughout the open house period.

- ▶ **Information booths at other planned events:** Setting up an information booth at your local farmers markets, school fair, or community event is a great way to share information about your affordable housing planning process and gather feedback from your local community.

## Online Events

Many of the meeting formats described above can be translated to an online format using a web meeting service such as Zoom, GoToMeeting, Google Meets, and WebEx. While a two hour meeting works well for in-person events, you may want to consider shortening online events to no more than an hour and a half. Here are some strategies to keep in mind to make sure your events run smoothly:

- ▶ Facilitators and presenters should complete a trial run of the engagement session ahead of time. This will ensure that the host or organizer understands how to give others the ability to share their screen or present, and keep transitions smooth.
- ▶ At the start of each meeting, the facilitator should ask all participants to mute themselves, and be clear about when the floor is open for questions.
- ▶ Ask participants to make sure their name is appearing with their image, rather than a phone number, using the “Rename” feature.
- ▶ Utilize the “Chat” feature to keep track of questions that may come up during the discussion.
- ▶ Use virtual polling tools, such as the poll feature on Zoom, to keep your audience engaged and capture information.

## Accessibility and Equity

Having a productive conversation about the accessibility and equity of your communications requires speaking explicitly about race and class in your community. These are difficult topics, but addressing and naming racial and socioeconomic inequality in your municipality during the planning process is essential to creating a meaningful plan for expanding affordable housing in your community.

**Creating a plan that addresses inequality requires keeping equity at the forefront of all communications and outreach efforts. Here are some questions that may be helpful in guiding your communications:**

### Accessibility Guiding Questions

- ▶ Who has access to this platform? Who may have trouble accessing this platform?
- ▶ Who has time to participate in the planning process? What are barriers to participation, and how can we address them?

- ▶ Who has access to this community? Who doesn't and why?

As you begin to answer these tough questions, consider how your communications strategy can be a tool for addressing and overcoming the following barriers:

## Inclusivity

It is important to make sure that you are including the perspective of people who may not live in your town today, but might want to if there were more affordable homes. This includes the voices of people of color, as well as younger people, senior citizens and others who may be underrepresented in your community.

**We suggest creating communications strategies that address how to reach the following populations:**

1. Young professionals who might be interested in living in your community:
  - Connect with local institutions such as universities, colleges, or hospitals.
  - Provide flyers for display and place notices for engagement sessions in email newsletters.
2. Older residents who would like to stay in your community, but want to downsize from single-family homes:
  - Connect with places of worship, senior centers, health-care facilities, and other organizations that serve older residents in your community.
  - Provide flyers for display and place notices for engagement sessions in email newsletters.
3. People who would like to live in your community if there were more affordable housing options:
  - Disseminate informational flyers or engagement-session invitations to local employers and business owners to give to their employees.
  - Look for advocacy groups, nonprofits and faith-based organizations in your region that address housing, homelessness, poverty, and other social issues. Send open invitations and information to their leaders and community members.
  - Post public notices in local newspapers.

## Difference in Ability

- ▶ The Americans with Disabilities Act outlines the obligations of Title II (state and local governments) and Title III entities (businesses and nonprofits that serve the public) to communicate effectively with those with disabilities.
- ▶ Accessible digital media will include subtitles for the hearing-impaired, and is able to be read by a text-to-speech engine or “screen reader” for people with vision impairments or learning disabilities. This will require including text

alternatives to all visuals (i.e., a caption that describes what is happening in the image) and that a web page is formatted with traditional HTML markup.

- To learn more, visit the Web Accessibility Initiative's website: [w3.org/WAI/perspective-videos/speech](https://www.w3.org/WAI/perspective-videos/speech)

### Language Barriers

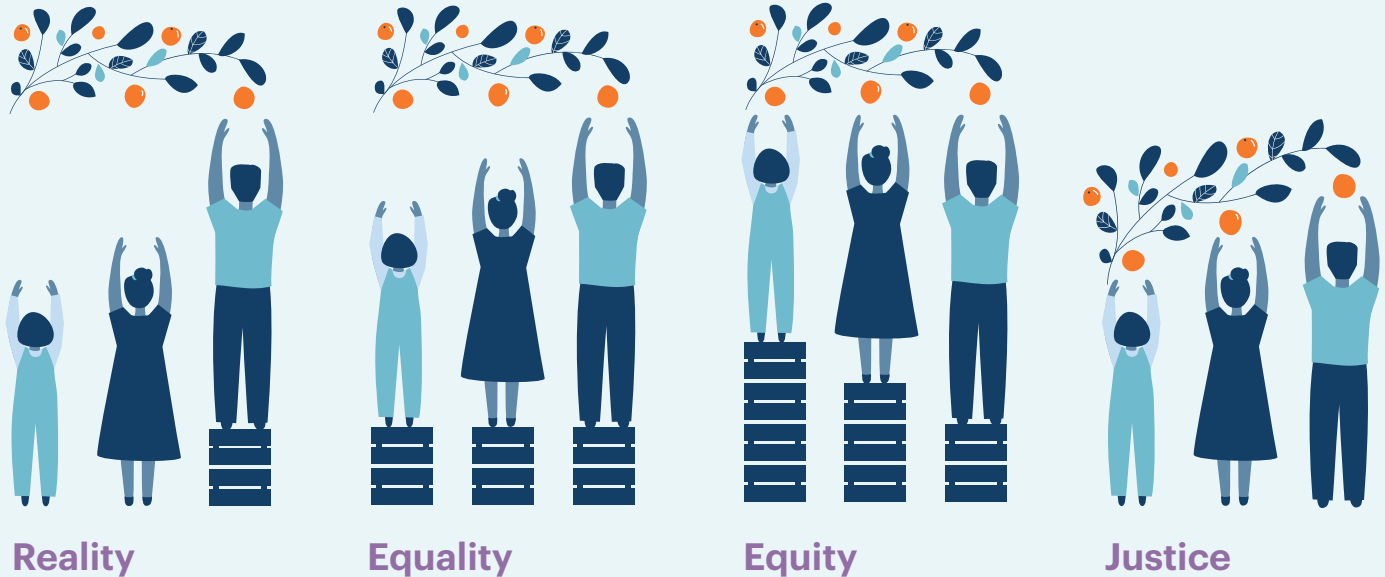
- ▶ Most social media platforms offer a translation feature that will help make social media content accessible for English as a Second Language (ESL) individuals. If your digital media is accessible for text-to-speech engines, it will also make your materials more accessible for non-English readers.
- ▶ In your engagement sessions or official publications, it may be necessary to include translations on print materials and slides, or have an individual present to translate.
- ▶ We highly encourage that any print materials disseminated in the community include a translation in any language beyond English spoken broadly in your community.

### Availability Barriers

Time and money are enormous barriers to participation. While some residents may have the availability and schedule flexibility to attend community meetings, others may not. This can be addressed by:

- ▶ Holding engagement sessions at different times of day and on weekends to accommodate different work schedules
- ▶ Holding both in-person and virtual meeting attendance options
- ▶ Providing food and childcare as a standard part of your engagement sessions
- ▶ Using your social media platforms to elevate all community members' voices

## Removing Barriers to Opportunity



**Equality** is when everyone is provided with the same level of opportunity and assistance. But the truth is that not everyone is starting in the same place with respect to the resources they can readily access. That's one of the reasons why recognizing the difference between equality and equity is so important.

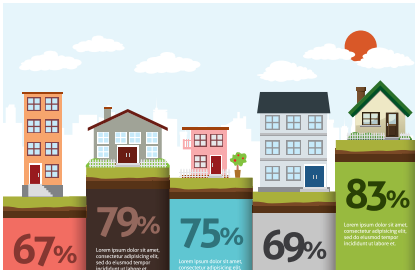
**Strategies to address equity** require acknowledging and overcoming the long history of unequal treatment that has provided some people with better access to opportunities than others. As we gain the tools to better identify and address the inequalities that exist in our society, we can learn what is needed to remove systemic barriers to opportunity.

Image by Batshevs and RPA



## Content

There are several options for how you present information in digital and print communications.



Infographic: Housing info template by Sue Hoi

The flyer has a blue header with the FCCHO logo and the title 'The Way Forward: A New Narrative For Housing in Fairfield County'. Below the title is the date and time: 'Thursday, September 17 | 10:30 AM - 12:00 PM'. The main body features a photo of Dr. Tiffany Manuel and text describing her role as National systems change expert. At the bottom, there is a call to action: 'Click here to register. Learn more at [fccho.org](http://fccho.org)'.

Flyer: Fairfield County's Center for Housing Opportunity

The event posting features a scenic view of houses in Darien, CT. The text reads: 'Darien Talks Housing: Darien's Past, Present and Future'. Below this is the date and time: 'Thursday, December 3, 7:00 pm'. At the bottom right, it says 'Presented in partnership with FCCHO'.

Event Posting: Darrien Housing Twitter image

This is not an exhaustive list, but below you will find some formats and examples of how those formats can be used effectively. The words and images you use are critical to building a positive narrative around your affordable housing plan.

### Infographics

Infographics are graphic visual representations of information, data, or knowledge intended to present information quickly and clearly. Because they communicate information quickly, infographics can be ideal for educating and building support around your plan on social media. You may enlist the support of a planner or graphic designer on staff to create impactful, easy-to-digest infographics that address housing needs in your community.

### Flyers

Print and digital flyers are helpful to building general awareness about the plan and for advertising engagement sessions. An effective flyer will address the “Who”, “What”, “Where”, “When”, and “Why” of an event clearly without an excess of text or other information that will create clutter.

### Newsletters

As you build a coalition of supportive and interested residents, it will be important to keep them engaged and involved. A bi-weekly or monthly email newsletter that highlights progress and draws attention to relevant events, issues, and ways to get involved may be helpful. If your newsletter is distributed by email, this is an ideal opportunity to include hyperlinks to more information about affordable housing that is too substantive to print on a flyer or incorporate into a short social media post.

### Event Postings and Registrations

If you host engagement sessions, whether virtual or in-person, it is helpful to post about your event on social media in addition to a posting on your municipal website. If you do not have your own registration system, it may be helpful to use a free online service like Eventbrite to help participants register for events digitally.

### RPA UPDATE

Regional Plan Association's new report outlines why New York City - far from dying - is well-positioned to rebound from the pandemic and recession if we make the right choices now. Plus, RPA just published housing data for every town, city, and village in Long Island, and we're closely monitoring a new opportunity to build affordable housing in the region's core.

#### Regional Roundup

##### Sorting Fact From Fiction

You've seen it in the news: everyone is fleeing New York. The subways are carrying COVID. The city is a crime-ridden wasteland. The reality is a bit more complicated. Our report *New York's Next Comeback* debunks these doomsday myths and directs attention toward the greatest threats to the region's recovery, like the deterioration of public services and infrastructure. In addition to these threats, RPA identifies five reasons to bet on the New York region, and five key microregions to avoid. Hear our staff members unpack the report on [www.rpa.org](https://www.rpa.org) and the linked job postcard.

Click the image to read the threat, microregion, and reasons for optimism.



#### Deep Dive on Housing Data

Yesterday, RPA published detailed data and visualizations on demographics and housing characteristics for 56 Long Island communities. By presenting over 20,000 data points in a visual, accessible way, *Long Island Housing Data Profiles* will help communities address both the gaps between rising housing costs and stagnant incomes, and the legacy of housing discrimination which persists in some areas. First developed in 2015 and now updated with the latest data, the profiles also allow users to see how each community compares to Long Island as a whole and see trends over time. Read more in [Housing](https://www.rpa.org).

#### After Reopening SoHo, What's Next?

New that New York City is moving to restore the SoHo/NoHo neighborhood for affordable housing, many housing advocates are asking: "What's next?" How can we build on the momentum to create affordable housing in more New York City communities? RPA identified six affluent neighborhoods in South Queens which could be great places to start. From Overlook in The Boro to North Forest Hills in Queens, all have solid access to jobs and transit, are majority white with above average incomes, are low-density than surrounding neighborhoods, and lack significant affordable housing options.



Newsletter: RPA Update



**Sustainable CT is a voluntary certification process** that inspires and supports communities in becoming more efficient, resilient, and inclusive. Certified communities demonstrate significant achievements in broad-ranging sustainability impact areas, including increasing the availability of healthy, efficient, and diverse housing. Sustainable CT's housing roadmap of best practices includes steps for designing and implementing an affordable housing plan; growing sustainable and affordable housing options; and implementing policy for greater housing diversity.

**Sustainable CT's housing actions align with the best practices in this guidebook.** Accordingly, municipalities can potentially earn points toward Sustainable CT certification by creating a local affordable housing plan. The Sustainable CT framework, rooted in equity and community engagement, is a powerful platform for building broad-based local support and ensuring an inclusive, collaborative, co-creative process for shaping local housing policy.

To learn more, visit [sustainablect.org](http://sustainablect.org).

# What to Include in an Affordable Housing Plan

## COMMUNITY VALUES STATEMENT

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Having a conversation with your community about what residents value is a great way to start the conversation around planning for the future.

Conversations on the values that the community holds are most often positive and productive, creating and reinforcing a shared sense of purpose. Community values can include things like equity, opportunity, health and well-being, sustainability, inclusivity and prosperity, and will vary depending on the priorities of your stakeholders. Starting with a dialogue about values is a helpful way to begin the planning process and provides a foundation for developing the contents of your plan. And as your town works to develop your affordable housing plan your values can be used as a reference point for plan principles, goals and actions. As you are working to draft the elements of your plan, you can keep coming back to them, asking- Does this principle, goal or action advance our town's core values?

## HISTORY OF AFFORDABLE HOUSING IN YOUR TOWN

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In planning for the future, it is useful to reflect on and learn from the past. Understanding your town's history with respect to affordable housing is an important starting point as you plan for more affordability. A history of past successes and challenges in planning for and creating affordable homes can be useful context that sets the stage for productive dialogue on policies and goals for the future. Inclusion of the broader historical context of residential development patterns in the state can also be a helpful way to acknowledge the accumulated policy decisions over

multiple generations, including redlining, racial steering, and other discriminatory housing practices, that created the land use patterns we see in our communities today.

## HOUSING NEEDS ASSESSMENT

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Understanding existing and anticipating future housing needs in your community is a critical first step in creating an affordable housing plan. How can you effectively plan for future housing if you don't have a clear picture of the housing you have in your town today and the housing you will need in the future to sustain a healthy, vibrant community? Affordable homes and housing types that meet the needs of people at a range of incomes and at different stages in their lives are the foundation of thriving communities. Having a range of homes where people can afford to age in place, live in the community where they work, and access a community where they'd like to live, but can't afford will strengthen the economic and social sustainability of your town into the future.

Your housing needs assessment should identify the quantity and type of housing needed by residents of your town and region today and over the course of the next ten years. This will help you understand the extent to which you are meeting existing housing needs and what your housing needs will be in the future. This information is critical to developing the principles, goals and actions of your affordable housing plan.

Your housing needs assessment should include an analysis of the following data for your town and region.<sup>3</sup> This analysis will provide a full picture of the people who live in your town and region today, how they are housed, their current and future housing needs and how housing affordability relates to the economic and social health of your town, as follows:

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<sup>3</sup> Defined as your county or regional Council of Government area

## Demographics

Gather data on metrics like current population, population change over time, race, age, and household configurations for your town and region. You should also consider population projections as part of your analysis, which provide an estimate of how much growth your town and region can expect to see in the future. In analyzing demographic data it is important to keep in mind that demographics are strongly shaped by local housing supply and zoning. Therefore, your analysis should consider the extent to which your town provides housing opportunities that meet the housing needs of both town residents and the broader landscape of residents in the region.

Nearly all the necessary demographic data is publicly available from the US Census American Communities Survey, which is conducted annually. See Appendix B for details. For population projections refer to the Connecticut State Data Center or your regional Council of Government.

## Housing supply

Gather data on the supply of housing in your town, including housing type, (single-family versus multi-family), housing tenure (owner- or renter-occupied units), vacancy rates, unit size, age of housing stock, housing cost, and number and type of subsidized units, including but not limited to the inventory of homes that meet the state's definition of affordable housing.<sup>4</sup> You should also review recent housing development trends in your town and region, through a review of building permits and/or a literature review of recent development proposals. Use this data to understand the kinds of housing opportunities that are available in your town.

Most housing supply data is available through the US Census American Communities Survey, with additional data sources listed in Appendix B.

## Economic indicators

Gathering data on residents' income and how much they spend on housing costs is important for understanding the extent to which your housing stock is affordable to your town's residents. In addition, understanding the socioeconomics of people who work in your community is also important in figuring out the gap between those who live in your town and some of those who might like to, but can't afford to.

Economic, employment, and commutation data is available from various sources, including PolicyMap and the Census Transportation Planning Package (CTPP). See Appendix B for more information.

## Gap Analysis

The keystone of a housing needs assessment is a gap analysis, which shows the difference between the housing available in the town, and what residents of the town and region can afford to pay.

**There is no single way to conduct a gap analysis, but the following best practice is suggested:**

### 1. Assessment of whether existing and projected housing will accommodate current and future housing needs

Using the population and housing data recommended above along with HUD's Comprehensive Housing Affordability Strategy (CHAS) data, you can analyze the gap between the housing available in your municipality and the needs of residents living in your community. From the detailed CHAS data tables, you can extract data that shows how many people are dealing with housing cost burden, overcrowding, and other housing problems, along with different characteristics like household income band, amount spent on housing costs, housing tenure, race, disability, and household size. For example, CHAS data allows you to see how many people in your community are below 50% AMI, in renter households, and with an elderly member of the household, or to see how many middle-income owners are facing housing cost burden in your community compared with others in the region. These specific questions may differ from town to town depending on findings from the housing and population data above, but fundamentally, the housing gap analysis should indicate the number of people in different income bands who are housing cost burdened or overcrowded, and the number of units available in the town affordable to each band.

### 2. Analysis of the relationship between housing costs and access to housing in your community

In addition to a basic analysis of the gap between available housing and the needs of those currently living in your community, understanding 1) the gap between available housing and housing needs of a broader constituency of potential residents; and 2) the relationship between available housing and your town's economic and social sustainability, are helpful analyses that can inform your affordable housing plan.

For example, data on economics and income can show the gap between housing within your town and the incomes of people who work there. Regional demographic data can indicate the presence of de facto segregation, for example, if your town has a much lower percentage of people of color than the surrounding region. Other gap analyses may use population projections to analyze future housing needs, or take a particularly close look at the availability and use of subsidized housing.<sup>5</sup>

<sup>4</sup> Defined as homes that cost 30% or less than 80% of state or median area income, whichever is lower.

<sup>5</sup> [http://seccog.org/wp-content/uploads/2018/05/2018\\_Housing\\_Needs\\_Assessment\\_03162018.pdf](http://seccog.org/wp-content/uploads/2018/05/2018_Housing_Needs_Assessment_03162018.pdf)

## LAND USE AND ZONING ASSESSMENT

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Understanding housing need is one piece of the puzzle in planning for affordable housing. Another important piece is understanding how your town currently uses its land and what your zoning says about what types of housing can be built where. Together with the housing needs assessment, your land use and zoning assessment will help your town better understand where affordable homes in your community currently exist and evaluate whether and where your town is able to create more affordable homes under your current zoning.

### Your land use analysis should include the following:

- ▶ A land use map that highlights the lots in your town that are currently used for housing and other uses. This map should indicate the density of existing housing, distinguishing between single-family, and low (2-3 units), medium (4-5 units) and higher density (5+ units) multi-family. Lots that include accessory dwelling units should also be noted.
- ▶ Identification of underutilized lots, including but not be limited to:
  - Parking lots in close proximity to transit
  - Strip malls or office parks with high vacancy rates
  - Vacant lots and/or vacant industrial sites
  - Underutilized municipally-owned property
- ▶ A review of your zoning code, identifying the regulations applicable in each residential district, including:
  - Minimum lot size
  - Maximum lot coverage
  - Special permit requirements
  - Parking requirements

The purpose of this review is to understand both how land in your town is used today and how it may be used in the future under your existing zoning regulations.

This will help you to identify specific opportunities to meet the needs identified in your housing needs assessment, including zones that allow for the creation of more housing choice in your town as well as potential sites where more affordable homes can be created. This analysis will also help you to better understand the ways that your existing zoning encourages and/or discourages housing development. For example, while your town may allow for the creation of accessory dwelling units, a closer examination of your zoning

may reveal that parking requirements, dimensional criteria and/or strict standards on occupancy make it difficult to create such units in practice. Matching up your town's housing needs against your existing land use and zoning will help you develop goals and actions for your affordable housing plan.

## UNDERSTANDING YOUR HOUSING MARKET

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Market conditions play an important role in the financial feasibility of building different types and scales of housing in communities. Therefore, as you are creating an affordable housing plan to address the housing needs identified in your town's housing needs assessment, it is important to understand your local and regional housing market.

The strength of your housing market is an important factor to consider as you are developing the goals and actions of your affordable housing plan. In a strong market area it will be easier for the private sector to finance a development project than in a weak market area.

It is important that communities recognize that the strength of the regional and local housing market impacts the ways that the financing package for an affordable housing development is constructed. In all markets, the financing of affordable housing development is always complex and requires subsidy of some kind, including but not limited to the following tools:

- ▶ Property owned by the municipality, dedicated/transferred or leased long term for affordable housing development
- ▶ Achieving a market feasible threshold for density of development
  - Provision of density bonus for creation of affordable housing units
  - In strong markets, enough density that market rate units can cross-subsidize affordable units
- ▶ Federal low income housing tax credits
- ▶ State financing programs
- ▶ Local property tax abatements or phase-ins
- ▶ Seed capital for site improvements or infrastructure extensions from CDBG and other funding sources
- ▶ Streamlined development application review and approvals

# Streamline the development application review and approvals process

## The need for a better system

The development application review and approval process is often time consuming, inefficient and expensive and can leave municipal officials, local residents and developers feeling frustrated, angry and unheard.

One way that towns can directly impact the financial feasibility of development is to make the approvals process efficient and predictable. A long and unpredictable approvals process is continually cited by development professionals as a leading factor driving up development costs, impacting financial feasibility of proposed projects.

It is not unusual for applications to take months and often years to advance through the review process, creating uncertainty and anxiety for all sides.

One of the most effective strategies that can be applied to implement the development recommendations of your community's affordable housing plan is to make the process more inclusive, predictable and efficient.

This is critical to addressing the two core challenges that very often delay and derail development applications:

- ▶ **Community residents feel shut out** of the process until it is too late to affect decisions; and
- ▶ **Developers feel that approvals take far too long** and the process is so unpredictable that only the most well-resourced and patient capital can see projects to completion.

This inefficiency results in too few beneficial projects reaching completion, impacting housing supply and contributing to the affordability crisis.

## Creating a More Efficient Process

The first step in creating a more efficient review process is to have an up-to-date affordable housing plan in place, developed with robust resident participation early in the process.

This allows your town to be proactive in planning for the future and setting out a policy framework that informs, rather than reacts to, development projects as they are proposed. Your plan will help you better negotiate with developers, and give developers a clearer sense of what projects are likely to be approved in your town.

Clear and predictable timelines are another essential element of transparent and effective community input and reliable government approvals.

Without predictability and transparency, the development process can become mired in political dealings and/or the appearance of such dealings, which can result in a drawn-out, frustrating, and expensive process. Towns should be very clear in laying out application submission requirements and review timelines and sticking to them and should provide—

- ▶ **A checklist** of application materials to be submitted.
- ▶ **A flow chart** that lays out review timelines and deadlines, showing how and when all of the parts of an application move through the process and when decisions will be made. This will make the process clear for everyone, including staff, elected and appointed officials, developers and the public.

Finally, a streamlined and equitable review process should take a holistic approach to impact review.

This can be accomplished by:

1. Identifying both negative impacts and positive benefits of proposed projects. For example, community services required to support a new development project can often be a flashpoint of contention, while positive impacts of a project on areas such as housing affordability may receive little attention.
2. Evaluating project impacts from the perspective of the broader community, rather than a narrow geographic context. For example, a proposed housing development may increase traffic or noise at one intersection, but on the whole, may generate fewer car trips than the same number of units built across a broader geography. Operating with a narrow lens, the environmental review process is very often used as a tool to delay and stop developments that may, in fact, be beneficial to communities when viewed from a more holistic perspective, such as the neighborhood or municipal level.

## Analysis of Housing Markets Across the State

The Connecticut Housing Finance Authority (CHFA) recently published a statewide housing needs assessment that includes an analysis of Connecticut's housing market.<sup>6</sup>

This assessment provides a helpful overview of relative market strength for both rental and homeownership housing and also addresses opportunity factors in communities such as access to quality schools and education centers. The assessment of both opportunity and market activity was used to produce the following market typology classifications at a census tract level:

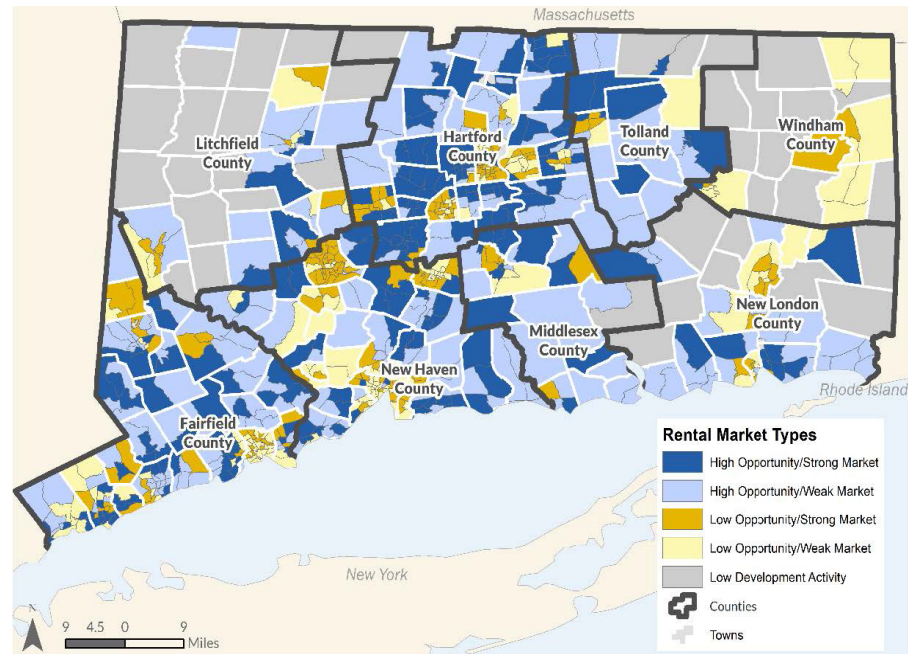
- ▶ High opportunity/strong market
- ▶ Low opportunity/strong market
- ▶ High opportunity/weak market
- ▶ Low opportunity/weak market
- ▶ Low development activity

The Opportunity Index (high/low) identifies areas in which new developments will provide a higher quality of life for residents with easy access to jobs and good schools. The Market Activity Index (strong/weak) classifies census tracts based on the amount of market activity that has taken place over five years, 2013 to 2017, sorting between strong or weak markets. Strong markets are more likely to see development activity than weak markets.

Because a different Market Activity score can be reached for the homeowner market and rental market, a census tract can have a strong homeowner market and weak rental market. There is also a Low Development Activity market type, which classifies census tracts where population growth is stagnant and vacancy rates are high.

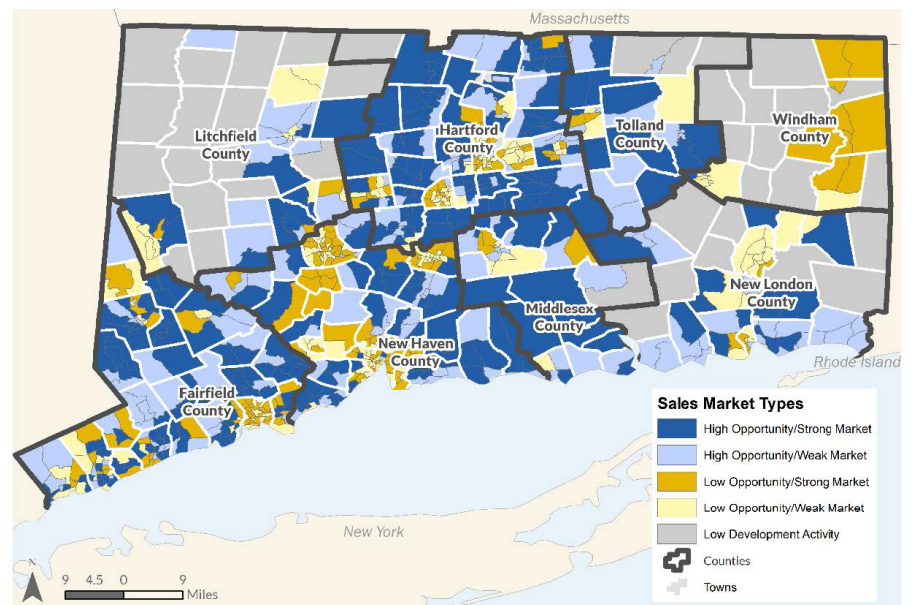
<sup>6</sup> Connecticut Housing Finance Authority, "Housing Needs Assessment." (May 2020).

### Rental Market Typologies



Connecticut Housing Finance Authority, "Housing Needs Assessment." (May 2020).

### Sales Market Typologies



Connecticut Housing Finance Authority, "Housing Needs Assessment." (May 2020).

## Rental Market<sup>7</sup>

Strong rental markets are areas with increasing populations and strong demand for rental housing development. These markets have experienced the fastest income growth among renters. In High Opportunity/Weak Market areas there is also growth in rental development, but renters' incomes have only experienced modest growth in these areas. Renters generally earn less than owners in all market types.

In High Opportunity/Strong Rental markets median rent has increased faster than median household income among renters. However, in these market areas rent still consumes less than 30% of household income. Rent consumes more than 30% of income in low opportunity markets where incomes are lower. When adding transportation costs to housing costs, only renters in the High Opportunity/Strong Market spend less than half of income on transportation and gross rent. There is an affordability cliff below 50% of median income across all market types where a majority of renters are cost burdened up to this income level.

Across all markets, the median income is a major affordability tipping point. This indicates a lack of affordable rental options available for households below the median income in certain markets and especially for households at 80% area median income (AMI) and below.

## Homeownership/Sales Market<sup>8</sup>

When considering the affordability of homes to potential first-time home buyers, prices in low opportunity markets have increased at a greater rate than income among renters in these markets, making it more difficult for renters to make a first home purchase. But in high opportunity markets, homes are becoming more affordable to households that are currently renters. The difference in prices between high and low opportunity areas makes it difficult to move between markets as a first-time homebuyer. However, due to rising prices, particularly in the Low Opportunity/Strong Market, it is more likely for a household to sell their home as an appreciated asset and potentially move to a high opportunity market. There is a steep affordability cliff for homeowners below the median income across all markets. The percentage of cost burdened homeowners rises approximately 30 points between those earning more than the median income and those earning 80% AMI. Over three-quarters of homeowners earning up to 30% AMI are cost burdened.

## PLAN PRINCIPLES, GOALS, AND ACTIONS

### Principles

Connecting your town's core values to housing affordability with a common set of guiding principles is a helpful way to frame your plan as you work to develop specific goals and actions. It is often

easier to come to agreement on high level policy principles than it is to get consensus on specific plan details. Therefore, setting out the principles that express your community's values can be a very helpful step towards developing and agreeing upon plan goals and actions.

Through the community engagement process, you will have surfaced important, commonly held values, which might include concepts like equity, opportunity, health and wellbeing, sustainability, inclusivity and prosperity. With these values, you can craft principle statements such as,

- ▶ Our town is an inclusive community with a diversity of housing types that meet the needs of individuals and families at a range of incomes and stages of life.
- ▶ Our town is an equitable community that strives to meet the housing needs of those who live here today and those who would like to live here in the future.
- ▶ Our town is a thriving community with housing diversity that supports a sustainable economy.

Using these types of general statements as a starting point, you can then develop more specific goals that relate back to and reinforce your plan's overarching principles.

### Goals

Using your plan principles as an overarching framework, the following strategies are recommended for developing clear and actionable plan goals. We recommend creating three to five primary goals that are reflective of your principles. Each goal can have a subset of more specific actions your municipality will take, or benchmarks you would like to meet.

### Refer to your housing needs assessment, land use and zoning analysis, and documentation of outreach efforts and events to identify the most pressing needs in your community

Take note of what you have heard from the community, and what you have learned from your analysis of the housing market. Where do they align? Where are they different?

### Refer to your community's values

What types of goals are aligned with your values and will help you meet the needs your community has identified?

### Be specific

An abstract goal such as "improve equity and sustainability" is a good place to start, but remember to clarify exactly what you mean by words like "equity" and "sustainability", and define some ways in which you could measure improvements in those areas.

For example, if your housing needs assessment showed that you have adequate affordable housing stock, but in your community outreach, residents asked for improved housing quality, a goal could be, "Improve housing equity in our town by improving the quality of affordable homes."

<sup>7</sup> Connecticut Housing Finance Authority, Housing Needs Assessment, May 2020

<sup>8</sup> Connecticut Housing Finance Authority, Housing Needs Assessment, May 2020

**Preview strategies in your goal statement.**

Though your actions will undoubtedly evolve, previewing them in the goal statement will help your community envision a way forward.

For example: to increase housing options and housing variety in our town by allowing accessory dwelling units in areas zoned for single-family homes.

*Themes and types of affordable housing goals to consider*

**Applying the strategies described above, consider creating goals that address the following:**

**Production**

Through your housing needs assessment, you will have an understanding of the size and scope of the affordable housing need in your community. Satisfying the need or some percentage of the need can be a goal. You can also specify the housing types most in need and potentially describe how your town will incentivize or participate in production. As part of this goal, you may also want to consider how your production goal may demonstrate progress towards achieving an § 8-30g moratorium, if applicable.

**Preservation**

It may be important for your municipality to put measures in place to preserve the affordability of parts of your housing stock to meet the ongoing needs of residents. Your housing goals should identify neighborhoods or developments in which additional measures will be necessary to preserve affordability.

**Equity and access**

Housing equity goals will vary with each municipality. For many towns, the largest housing equity issue is access: do people of lower income levels have access to housing in your community? What are current barriers to access? Some examples include there

not being enough supply at different price levels, a lack of variety in housing types, or discriminatory practices by landlords. Endeavor to address barriers to access in your equity goals.<sup>9</sup>

**Think regionally**

Housing markets are regional and do not conform to municipal boundaries. Consider discussing your goals with neighboring municipalities, or collaborating with your local Council of Governments to consider the housing needs of the region. The community and its needs are not clear-cut and bounded by town lines. Creating housing goals that address the needs of the community requires looking outside of your town boundary to understand the greater ecosystem of people that move within your region of Connecticut every day. At the same time, when thinking regionally it is important to consider how every town will create opportunities for affordability, rather than expecting only some and not all communities to meet regional affordable housing needs.

**Actions**

Once you have created your plan goals, you are ready to think about how to make them a reality. Actions should include short, medium, and long term strategies for reaching your plans goals. The degree to which these actions are carried out over time is how you will measure your progress and success towards achieving the goals of your plan. Actions should be associated with each of your plan goals and should also be laid out in a matrix, associating each action item with a timeframe (short, medium and long term) and assigning actions to those who will be responsible for taking the lead on them, as shown in the plan implementation matrix template:

<sup>9</sup> Data on reporting of discriminatory practices can be obtained from the CT Fair Housing Center (<https://www.ctfairhousing.org/>).

**Plan Implementation Matrix Template**

Principle	Goal	Action	Timeframe (circle one)	Responsible party	
1.	1.	1.	Short / Medium / Long Term		
		2.	Short / Medium / Long Term		
		3.	Short / Medium / Long Term		
	2.	1.	Short / Medium / Long Term		
		2.	Short / Medium / Long Term		
		3.	Short / Medium / Long Term		
	3.	1.	Short / Medium / Long Term		
		2.	Short / Medium / Long Term		
		3.	Short / Medium / Long Term		



**In developing actions to achieve your plan goals, the following strategies are recommended for consideration:**

**Site identification:** Identify sites where your town will encourage or incentivize development. Provide clear direction to the development community on the scale and design parameters for development in your plan and through zoning. Municipally-owned properties in appropriate locations should be considered when your town is identifying potential affordable housing sites.

**Zoning:** Zoning is one of your town’s most powerful tools for incentivizing production. Identifying locations where your town would like to see affordable housing developed and zoning for such development puts your town in a proactive position with respect to development. Developers are likely to propose housing on appropriate sites in your town that are zoned for it. It is much easier for a developer to create the housing your town wants if you enable it through your zoning regulations. Some zoning tools to consider include, but are not limited to:

**Inclusionary zoning:** Adopt inclusionary zoning regulations that incentivize or require the creation of affordable housing as part of all market-rate housing developments.

**Zoning for multifamily and affordable housing near transit:** Zone land in close proximity to train stations and bus/bus rapid transit hubs to allow for multifamily development.

- **Incentive housing zones:** Establish an incentive housing zone(s) on a site(s) served by transit and/or other infrastructure that allows for housing and mixed use development. Include a set aside of at least 20% for households earning 80% or less of the area median income for a minimum of 30 years, consistent with the state’s incentive housing zone legislation.
- **Accessory dwelling units:** Allow accessory dwelling units (ADUs) as of right in single family zones to increase housing opportunities in low-density areas.
- **Parking requirements:** Review parking requirements and adjust as necessary to minimize parking requirements for multifamily and affordable homes and accessory dwelling units. Right-sized parking requirements are critical to the feasibility of implementing multifamily, affordable and ADU housing.

## Inclusionary Zoning

Also called inclusionary housing, inclusionary zoning regulations incentivize or require the creation of affordable housing as part of all market-rate housing developments.

The particulars of an inclusionary zoning regulation, such as the definition of affordability, the length of designated affordability, whether or not the regulation is mandatory, and incentives for participation, are determined in Connecticut by individual municipalities.



Rendering by Elena Elisseeva

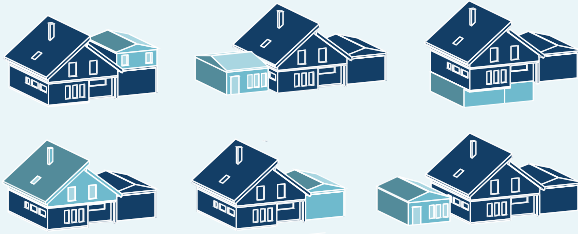
An inclusionary zoning policy can be effective in consistently setting aside affordable housing units or fee in lieu funds to be used to create affordable housing.

### What do Connecticut’s General Statutes say about it?

*§ 8-2i. Inclusionary zoning. (a) As used in this section, “inclusionary zoning” means any zoning regulation, requirement or condition of development imposed by ordinance, regulation or pursuant to any special permit, special exception or subdivision plan which promotes the development of housing affordable to persons and families of low and moderate income, including, but not limited to, (1) the setting aside of a reasonable number of housing units for long-term retention as affordable housing through deed restrictions or other means; (2) the use of density bonuses; or (3) in lieu of or in addition to such other requirements or conditions, the making of payments into a housing trust fund to be used for constructing, rehabilitating or repairing housing affordable to persons and families of low and moderate income.*

*(b) Notwithstanding the provisions of any special act, any municipality having zoning authority pursuant to this chapter or any special act or having planning authority pursuant to chapter 126 may, by regulation of the body exercising such zoning authority, implement inclusionary zoning regulations, requirements or conditions.*

# Be My Neighbor: Accessory Dwelling Units



Changing zoning and parking regulations to allow the creation of accessory dwelling units (ADUs) is an efficient way to increase housing opportunities in low-density areas. Accessory dwelling units also provide a unique opportunity for existing residents to make supplementary income by renting out a unit, or have the opportunity to house additional family members. To best utilize ADUs to help you meet your affordable housing goals, your municipality may consider:

## 1. Making it Easier to Legalize and Construct ADUs and Conversions through Zoning Code Changes and Local Ordinances

With or without state policy on ADUs, municipalities in Connecticut can update their zoning and other relevant local ordinances to make it easier to create ADUs and conversions. Municipalities should consider incentives for good design and accessibility, relaxing strict standards on occupancy and dimensional criteria, and minimizing large lot requirements.

## 2. Creating More Flexible Parking Requirements

Parking standards can make or break ADU and conversion policies. In neighborhoods close to transit, off-street parking requirements should be minimized, and in most cases, on-street parking on public rights-of-way should be considered as a viable option to accommodate ADUs and conversions.

## 3. Providing Technical Assistance, Financing, and Information

Municipalities should work to create programs that provide assistance for constructing ADUs and making conversions by simplifying technical language and streamlining approvals. Statewide financing programs, especially targeting senior citizens, should be prioritized.

*Learn more about ADUs at [rpa.org](http://rpa.org)*

**Funding:** Commit dedicated funding to support affordable housing development. Funding may be directed as part of the municipal budget, through grants, or to other entities that result in affordable housing development, including but not limited to affordable housing trust funds, community land banks, and land trusts.

## Streamlined development review and approvals process:

Streamlined permitting for proposals that are consistent with your zoning regulations with predictable timelines for application review makes the development process less onerous for all parties involved. This administrative tool is a meaningful way to encourage appropriate development by providing certainty for developers and curbing escalation of project development cost that can occur with a long, drawn out approvals process.

**Production Incentives:** Incentives can be an effective way to encourage developers to create affordable housing in your community. Some techniques to consider include providing the following:

- ▶ Density bonuses in certain zones that allow developers to increase the number of units they can develop when affordable units are included in the proposal.
- ▶ Property tax abatements or phase-ins to incentive affordable housing development.
- ▶ A one-stop shop in town hall that shepherds development applications through the approvals process, including assistance with pre-application, permits, and approvals.

## Preservation

Preserving affordability can be achieved in several ways, including increasing the supply of units, restricting rental increases via regulation, or providing rental subsidies.

Community land banks and land trusts can be helpful tools to achieve preservation goals. For affordable homeownership, affordability may be preserved through deed restriction.

# Community Land Banks and Land Trusts

A community land bank is a nonprofit or governmental entity that acquires and manages underutilized, vacant, or foreclosed properties in the community.

Many properties owned by land banks are obtained through the property tax foreclosure process. Usually land banks make these properties productive again by making them appealing to the private market. The land bank can increase a property's appeal by using special powers given to them by the state to waive delinquent property taxes or other financial or legal obstacles.

A community land trust is a nonprofit, community based organization designed to ensure community stewardship of land. Community land trusts can be used for many types of development, but are primarily used to ensure long-term housing affordability. The trust acquires land and maintains permanent ownership of the land, entering into a long-term, renewable lease rather than a sale with the homeowner. When the homeowner sells the property, they earn a portion of the increased property value, the remainder is kept in trust, preserving affordability for future low to moderate income residents.<sup>10</sup>

<sup>10</sup> Definition from Community-Wealth.org (<https://community-wealth.org/strategies/panel/clts/index.html>)

# Deed Restricted Homeownership

A deed restriction legally restricts how a piece of property may be used in the future. Deed restrictions can be used to maintain the long-term affordability of a property. Typically, a community land trust or government entity provides an initial mortgage subsidy to make the home affordable, and then places parameters on the resale value of the deed restricted home so that future buyers' mortgages may be subsidized by the appreciation in property value. Deed restricted affordable homeownership is a form of shared equity ownership that requires an initial outside payment to subsidize the mortgage so it may be affordable for the first family.

Effective shared equity homeownership programs have to balance the goals of building wealth for the homebuyer and preserving the affordability of the housing. One major downside of deed restricted affordable home ownership is that the owners do not get to accrue equity if the property appreciates in value, due to the restrictions on resale value. While deed restrictions may allow a low-income family to purchase a home, if they are too stringent, they will not allow families to benefit from the full value of homeownership, which has historically been essential in America for growing generational wealth and increasing communities' economic mobility. To avoid this pitfall, the municipality or community land trust may consider structuring the deed restriction such that the owner may retain some of the equity gains that have accrued to the property.

## Equity and access

Actions to improve equity and access to housing in your town can include increasing the supply of housing of different types and at different price points and addressing other barriers to access like discriminatory practices such as steering practices and landlord refusal to accept housing choice vouchers. While illegal, these practices still occur and can be addressed through housing discrimination testing, enforcement of existing regulations, fair lending practices and right to counsel laws. In its [Affirmatively Furthering Fair Housing Guidebook](#), the CT Fair Housing Center recommends the following steps to further fair housing in Connecticut:

### 1. Conduct an Analysis of Impediments to Fair Housing Choice

The Analysis of Impediments (AI) should be done in concert with a Housing Needs Assessment. An AFFH AI combines demographic, socio-economic, and housing supply data from your municipality and region to identify housing needs in your community. And it goes further in identifying barriers to fair housing, such as discriminatory land use and zoning ordinances, occupancy limits, or lack of affordable housing programs.

### 2. Develop Action Steps

Action steps will specifically address the barriers identified in Step 1. Action steps may include training for municipal staff, housing officials, and real estate agents. They could also include community engagement sessions and materials educating the public about their right to fair housing.

### 3. Document Action Steps

When conducting an AFFH AI in pursuit of state funding, municipalities must submit documentation of their process and progress made. This documentation will include a summary of the Analysis of Impediments process, impediments identified, action steps, and a report on the progress and impact of steps taken.

## Think regionally

Because housing markets are regional and do not conform to municipal boundaries, actions that your municipality takes to collaborate with neighboring towns and your Council of Government (COG) can be very helpful in crafting a plan that meaningfully addresses housing needs. Collaborative actions can include hosting regional conversations with neighboring towns to discuss housing needs and undertaking a regional housing needs assessment in partnership with your COG and/or neighboring communities.

## Affordable Housing Plan Checklist

### Planning Process

- Establish leadership team/affordable housing committee
- Design & carry out community engagement & communications strategy

### Plan Document

- Community values statement
- History of affordable housing in your town
- Housing needs assessment
- Land use and zoning assessment
- Plan principles, goals & actions
- Implementation strategy

## Housing Needs Assessment Datasets

Dataset	Contains data on
<b>American Communities Survey</b> (US Census Bureau) <a href="https://data.census.gov/nhgis.org">data.census.gov/nhgis.org</a>	<b>Demographics:</b> <ul style="list-style-type: none"> <li>• Population</li> <li>• Race and ethnicity</li> <li>• Age</li> <li>• Households</li> <li>• Household type</li> </ul> <b>Economic:</b> <ul style="list-style-type: none"> <li>• Housing costs (rent and owner costs)</li> <li>• Income</li> </ul> <b>Housing Supply:</b> <ul style="list-style-type: none"> <li>• Type of housing</li> <li>• Housing tenure</li> <li>• Units by number of bedrooms</li> <li>• Age of housing stock</li> <li>• Vacancy rates</li> </ul>
<b>Building Permits Survey</b> (US Census Bureau) <a href="https://census.gov/construction/bps">census.gov/construction/bps</a>	<b>Housing supply:</b> <ul style="list-style-type: none"> <li>• Recent building permits</li> </ul>
<b>Census Transportation Planning Package</b> (American Association of State Highway and Transportation Officials) <a href="https://ctpp.transportation.org">ctpp.transportation.org</a>	<b>Economic:</b> <ul style="list-style-type: none"> <li>• Income for residents and workers</li> <li>• Commutation patterns</li> </ul>
<b>Comprehensive Housing Affordability Strategy</b> (US Dept. of Housing and Urban Development) <a href="https://huduser.gov/portal/datasets/cp.html">huduser.gov/portal/datasets/cp.html</a>	<b>Demographics:</b> <ul style="list-style-type: none"> <li>• Households</li> <li>• Household type</li> <li>• Race and ethnicity</li> </ul> <b>Economic:</b> <ul style="list-style-type: none"> <li>• Housing costs</li> <li>• Income</li> </ul> <b>Housing Supply:</b> <ul style="list-style-type: none"> <li>• Housing units</li> <li>• Vacancy</li> <li>• Rent and housing value</li> </ul>
<b>CT Data Collaborative</b> <a href="https://ctdata.org">ctdata.org</a>	<b>Population, Demographics, Housing</b> <ul style="list-style-type: none"> <li>• including, but not limited to CT Housing Data Profiles and population projections</li> </ul>
<b>Partnership for Strong Communities</b> <a href="https://housingprofiles.pschohousing.org">housingprofiles.pschohousing.org</a>	<b>Housing Data Profiles</b> <ul style="list-style-type: none"> <li>• State, county and municipal level population and housing data</li> </ul>
<b>Picture of Subsidized Households</b> (US Dept. of Housing and Urban Development) <a href="https://huduser.gov/portal/datasets/assthsg.html">huduser.gov/portal/datasets/assthsg.html</a>	<b>Housing Supply:</b> <ul style="list-style-type: none"> <li>• Subsidized housing</li> </ul>
<b>U.S. Small-area Life Expectancy Estimates Project</b> (Centers for Disease Control) <a href="https://cdc.gov/nchs/nvss/usaleep/usaleep.html">cdc.gov/nchs/nvss/usaleep/usaleep.html</a>	<b>Quality of Life:</b> <ul style="list-style-type: none"> <li>• Life expectancy</li> </ul>



# HOUSING OSSINING TECHNICAL PAPER #4

## Policy Framework



**Submitted to the Village of Ossining**

**August 30<sup>th</sup>, 2017**



**Kevin Dwarka LLC**  
Land Use & Economic Consulting

## Table of Contents

INTRODUCTION.....	4
SECTION 1: HOUSING ISSUES.....	5
Substandard Living Conditions.....	5
Rising Housing Costs .....	5
Limited Economic Development Activity.....	6
Barriers to Developing Housing .....	6
Community Displacement.....	6
SECTION 2: POLICY STRATEGIES.....	6
Policy Strategy #1: Increase Village Leadership in Economic Development .....	7
Policy Purpose.....	7
Current Conditions.....	7
Implementation Steps.....	7
Potential Benefits.....	8
Challenges and Limitations .....	8
Policy Strategy #2: Adopt a Proactive Approach to Building Code Enforcement .....	8
Policy Purpose.....	8
Current Conditions.....	8
Implementation Steps.....	9
Potential Benefits.....	10
Challenges and Limitations .....	10
Policy Strategy #3: Modify Village Development Incentive Program .....	10
Policy Purpose.....	10
Current Conditions.....	10
Implementation Steps.....	11
Potential Community Benefits.....	11
Challenges and Limitations .....	11
Policy Strategy #4: Expand the Village’s Network of Local Housing Developers.....	11
Policy Purpose.....	11
Current Conditions.....	12
Implementation Steps.....	12
Potential Community Benefits.....	12
Challenges and Limitations .....	12

Policy Strategy #5: Revise Village Affordable Housing Policy ..... 13

    Policy Purpose..... 13

    Current Conditions..... 13

    Implementation Steps..... 14

    Potential Community Benefits..... 14

    Challenges and Limitations ..... 14

Policy Strategy #6: Eliminate Regulatory Barriers to Housing Development ..... 15

    Policy Purpose..... 15

    Current Conditions..... 15

    Implementation Steps..... 17

    Potential Community Benefits..... 17

    Challenges and Limitations ..... 18

Policy Strategy #7: Improve Transit Access and Reduce Automobile Dependency ..... 18

    Policy Purpose..... 18

    Current Conditions..... 18

    Implementation Steps..... 19

    Potential Community Benefits..... 19

    Challenges and Limitations ..... 19

Policy Strategy #8: Apply State Rent Stabilization Law to Eligible Multi-Family Buildings ..... 20

    Policy Purpose..... 20

    Current Conditions..... 20

    Implementation Steps..... 21

    Potential Community Benefits..... 21

    Challenges and Limitations ..... 22

SECTION 3: EVALUATION OF POLICY STRATEGIES ..... 23

SECTION 4: IMPLEMENTATION AND PHASING RECOMMENDATIONS ..... 24



## INTRODUCTION

In February 2017, the Village of Ossining commenced *Housing Ossining*, a six-month multidisciplinary study focused on the identification of housing policies that would best meet the diverse housing needs of present and future residents. Kevin Dwarka LLC, a New York City based land use and economic consulting firm, was engaged to analyze the village's housing needs, review best practices and formulate a broad set of housing policy strategies. Formulated with the help of extensive community input, the study culminated with the completion of four technical papers:

- Technical Paper #1: Quantitative Analysis
- Technical Paper #2: Regulatory Assessment
- Technical Paper #3: Community Engagement Record
- Technical Paper #4: Policy Framework

This document represents the fourth technical paper, a presentation of eight housing policy strategies that have been carefully vetted by village residents; both elected and appointed Village officials; landlords; community groups; and a cross-section of housing policy practitioners. The paper opens with a digest of key housing needs as identified through extensive quantitative analysis, regulatory assessment, and community engagement. The remainder of the paper focuses on the presentation, evaluation, and prioritization of the eight strategies as summarized in the table below.<sup>1</sup>

Proposed Housing Policy Strategy	Purpose of Strategy
<b>1 Increase Village Leadership in Economic Development</b>	Appoint an experienced professional economic development specialist to design and implement an inclusive economic development strategy that increases the commercial tax base, attracts new businesses, increases employment opportunities for lower income residents, maximizes development opportunities and complements the Village's housing policy framework.
<b>2 Adopt a Proactive Approach to Building Code Enforcement</b>	Fully engage tenants, landlords, community groups, and citizens in a collaborative effort to increase awareness of building code regulations and ensure their compliance.
<b>3 Modify Village Development Incentive Program</b>	Ensure that tax incentives for new development result in housing units that meet community needs for mixed income housing and inclusive economic development.
<b>4 Expand the Village's Network of Local Housing Developers</b>	Expand the network of housing developers within the Village of Ossining in order to ensure a more diverse group of builders, enhance access to innovative funding sources, and align new development with housing and economic development goals.
<b>5 Revise Village Affordable Housing Policy</b>	Provide a deeper and broader level of affordability requirements for new housing development to ensure access to affordable housing by lower income households and that supports mixed income housing.
<b>6 Eliminate Regulatory Barriers to Housing Development</b>	Update the Village's Comprehensive Plan and Zoning Regulations to enable the construction of multi-family housing in places where there already is a prevailing pattern of multi-family housing.

<sup>1</sup> The consulting team initially prepared twelve draft policy strategies and presented them to the public at large as well as at a meeting of the Village of Ossining Board of Trustees. Common elements of these strategies were combined into eight revised strategies. None of the ideas expressed in the original twelve strategies were deemed to be fatally flawed or eliminated from consideration. All ideas were retained, evaluated, and integrated based upon their implementation linkages.

<p><b>7 Improve Transit Access and Reduce Automobile Dependency</b></p>	<p>Limit the effects of automobile dependency on neighborhood conditions while increasing transit access and encouraging more affordable transit oriented development</p>
<p><b>8 Apply State Rent Stabilization Law to Eligible Multi-Family Buildings</b></p>	<p>Protect renters from dramatic rent increases, poor building conditions, and displacement by regulating eligible buildings under the Emergency Tenant Protection Act.</p>

## SECTION 1: HOUSING ISSUES

The housing needs discussed below represent some of the most pressing housing issues in the Village of Ossining based on quantitative analysis, regulatory assessment, and a broad public engagement. Housing issues have been grouped together into five overarching themes: Substandard Living Conditions, Rising Housing Costs, Limited Economic Development Activity, Barriers to Developing New Affordable Housing, and Community Displacement. Note that the presentation of these themes below has been purposefully done in a synoptic fashion without statistical or statutory references. See *Housing Ossining Technical Working Papers 1, 2, and 3* for a more specific accounting of these housing issues including data trends, regulatory interpretation, and direct community observations.

### Substandard Living Conditions

There are many indications that Ossining buildings are not consistently maintained in conformity with local and state building regulations. The Village has made recent efforts to adopt a more proactive approach to code enforcement. Nevertheless, regulatory compliance is still impeded by limited human resources within the Village Building Department, the protracted judicial process, and an underlying lack of awareness by both landlords and tenants of the building code requirements. While there are reports that substandard living conditions may be found in at least some of the larger multi-family apartment buildings, anecdotal evidence suggests that building code violations, safety concerns, and overcrowding occur more often in smaller buildings such as two-family homes or small apartment buildings. While poorly maintained buildings most adversely harm the welfare of tenants residing within them, they also impose externalities upon the broader community including fire hazards, visual blight, excess garbage, and on-street parking shortages. Another broad concern is that the overcrowding of smaller buildings is resulting in a higher number of school children, thereby taxing the administrative and infrastructural capacity of Ossining School District.

### Rising Housing Costs

Market trends and resident input broadly suggests that housing costs for both owners and residents is becoming increasingly burdensome. A hot real estate market in New York City as well as Westchester has led to rising home costs, making it harder for new residents or young people to purchase single family homes. Although the prices of owner-occupied units in Ossining are lower than those in Westchester, rising property taxes have made it more difficult for seniors to age in place. Meanwhile, renters in Ossining are even more cost-burdened than homeowners. Lower income residents especially face significant challenges meeting the rising cost of rent in tandem with other living expenses such as transportation, childcare, and healthcare.

### Limited Economic Development Activity

Ossining is blessed with a racially and economically diverse community. However, like many communities in the Hudson Valley, the combination of global economic restructuring and the decline of the manufacturing sector has hampered the growth of new employment generators within the village. Consequently, Ossining's tax revenues are disproportionately comprised of residential property tax revenue. Meanwhile, service sector jobs offer only limited opportunities for economic mobility and social benefits. The effect of the village's limited economic development has meant that lower economic residents have few opportunities to find better paying jobs within the Village and therefore continue to struggle to meet rising housing costs. Meanwhile, homeowners are confronting rising residential property taxes without sufficient relief from commercial tax revenue.

### Barriers to Developing Housing

Although Ossining already has a supply of affordable housing, the village does not have enough affordable housing need to meet the needs of its current residents. New multifamily housing has been constructed in recent years. However, much of the new housing has not been priced at a level that is affordable to most current residents. Part of the challenge in building new affordable housing is the relatively small number of affordable housing developers with local knowledge and interest in Ossining. Meanwhile, housing prices are sometimes inflated by rent rolls that reflect overcrowded living conditions. These high housing prices in turn make it difficult for local developers to acquire distressed buildings, rehabilitate them, and make them available at affordable price points. Finally, the village's comprehensive plan and zoning regulations do not enable multi-family housing to be constructed as of right even in places where multi-family housing is the prevailing land use pattern.

### Community Displacement

For many Ossining residents, rents are rising faster than their incomes. As noted above, new housing supply is not priced at levels affordable to most residents. Increased residential taxes are imposing burdens on residents with fixed incomes. Meanwhile, tenants in some of the village's smaller multifamily buildings may not have the assurance of a long-term lease or even a month to month lease. These various conditions may lead to the displacement of existing residents and their move to places with a greater supply of affordable housing options. Village residents value the economic and racial diversity of their community, so the preservation and generation of diverse housing types at a range of price points is broadly supported value. At the same time, however, many residents question the degree to which Ossining can reasonably meet the housing needs of all residents especially given the amount of affordable housing demanded throughout the surrounding region.

## SECTION 2: POLICY STRATEGIES

The following eight housing policy strategies were prepared on the basis of a six-month study that included extensive community engagement, quantitative analysis, and regulatory assessment. The strategies were also carefully reviewed by the Village of Ossining professional staff as well as all members of the Village Board of Trustees.

Drafting housing policy in an inherently complex process that requires not only the vision and leadership of a locality but also extensive coordination with other units of governance including adjoining localities, school districts, state governments, and the federal government. In addition, strategic partnerships with

the private, philanthropic, and non-profit sectors also affect a community's capacity to meet the housing needs of its current residents. However, the policy strategies presented below focus exclusively on the interventions falling within the purview of the Village of Ossining and that can be implemented within the next three years.

### Policy Strategy #1: Increase Village Leadership in Economic Development

#### Policy Purpose

- *Appoint an experienced professional economic development specialist to design and implement an inclusive economic development strategy that increases the commercial tax base, attracts new businesses, increases employment opportunities for lower income residents, maximizes development opportunities and complements the Village's housing policy framework.*

#### Current Conditions

The Village is blessed with a highly knowledgeable professional staff endowed with deep knowledge of land use, zoning, housing policy, and urban planning. However, the Village does not currently have a designated economic development specialist charged with crafting a formal economic development strategy and aligning it with the goals of the Village's housing policies. Although it may seem that economic development plans are tangential to housing issues, the existing conditions research that was conducted for *Housing Ossining* revealed some palpable economic challenges with far-reaching implications on housing access and affordability. Specifically, new real estate development has not always resulted in housing units aligned with community need. Limited employment prospects have made it harder for lower income residents to afford rising housing costs. An undersupply of commercial development has in turn placed a heightened tax burden on residential properties. Without a trained economic development specialist, the Village may miss out on opportunities for allocating land uses in a way that is not only fiscally productive but that also meets local housing needs.

#### Implementation Steps

1. Analyze the potential economic return of redeveloping underutilized or vacant properties.
2. Estimate the financial cost of hiring a part-time or full-time economic development specialist.
3. Assess the potential return of hiring an economic development specialist with regard to the realization of tax revenue.
4. Prepare a draft economic development strategy as part of the job description of the economic development specialist.
5. Coordinate strategy with the proposals from the Downtown Redevelopment Working Committee
6. Hire an economic development strategist with a proven track record of securing community benefits from new real estate activity.

### Potential Benefits

The economic development specialist could provide the Village with a roadmap for reducing its dependency on residential property taxes and enhancing the economic mobility of existing residents. Specifically, the specialist could help identify suitable underutilized downtown sites such as Market Square or along the Highland Avenue corridor and promote their development to an expanded network of real estate developers. The specialist could also update the economic development components of the comprehensive plan and make sure that future dispositions of Village owned properties like Market Square generate local housing benefits. The specialist could also help promote the vitality of downtown Ossining and serve as a valuable asset to the Downtown Redevelopment Working Committee. However, the specialist's role could also include linking key areas of industrial growth such as e-commerce, multi-media design, or cybersecurity with development sites and local workforce development programs. Lastly, the specialist could help the Village assemble an appropriate package of incentives and marketing activities that preserve and expand the local business community, thereby improving the overall quality of community life in the downtown as well as surrounding neighborhoods.

### Challenges and Limitations

The hiring of a full-time economic development specialist could prove very costly especially given the salaries customary for an experienced professional as well as the requisite fringe benefit costs associated with such a position. One alternative to a full-time specialist would be to hire a consultant to prepare the strategy and oversee its implementation. Although this approach would insulate the Village from a long-term financial burden, it would compromise the effectiveness of the proposed policy strategy. The Village needs a specialist who is local, visible, and well-connected to the business and real estate community within Ossining and beyond. An outside consultant, limited by contractually circumscribed duties, cannot represent the voice of Ossining as well as a Village employee. If the Village cannot afford a full-time specialist, they should instead consider hiring a part-time specialist with an office at Village Hall.

## Policy Strategy #2: Adopt a Proactive Approach to Building Code Enforcement

### Policy Purpose

- *Fully engage tenants, landlords, community groups, and citizens in a collaborative effort to increase awareness of building code regulations and ensure their compliance.*

### Current Conditions

The Village of Ossining's Building Department is charged with enforcing local and state building regulations. A summary of these regulations, especially those dealing with overcrowding and building inspection procedure, can be found in *Housing Ossining Technical Paper #2: Regulatory Assessment*. This technical paper also documents the Village's enduring efforts to remedy building violations by refining its code and better aligning it with the state regulations. However, the Village's challenges associated with code compliance go far beyond remedying the law. Also at issue is the understaffing of the Building Department, the protracted judicial process when a matter rises into legal action, and the broad unawareness of the code by landlords and tenants alike. While it might be suggested that certain landlords and tenants simply do not want to be fully versed in the code, it is also the case that the Village's building regulations are not easily decipherable. Like many localities, Ossining has a code that

reflects decades of revision, references to state code, and importations of the International Building Code. As a result, it is not always easy for even a trained building professional to definitively know exactly what is required under the code and the steps necessary to remedy a violation.

#### Implementation Steps

1. Hire two additional staff members, including bilingual staff for both administrative as well as enforcement functions.
2. Establish code enforcement beats in which officers follow a regularized schedule for observing neighborhoods and documenting any indications of building violations or overcrowding.
3. Organize community members to participate in regular code enforcement tours in which groups of citizens follow a formal schedule for conducting observations of different neighborhoods and reporting potential violations to the Building Department.
4. Establish an anonymous building violation telephone hotline that accepts voice mail messages about building violations.
5. Create and distribute clear, user friendly, graphically designed guides to the local and state building code regulations and the requirements for overcoming a building code violation.
6. Provide some level of building code education to Village staff members outside of the Building Department.
7. Substantially Increase monetary fines for building code violations especially for work that is completed before the request for building permits.
8. Require a Certificate of Occupancy as a precondition for a property sales transaction in order to create a mechanism for inspecting illegally subdivided buildings.
9. Explore the possibility of applying financial penalties to landowners who maintain derelict or vacant properties.
10. Complete the Village's already in progress efforts to establish a code enforcement appeals board that enables an alternative forum for dispute resolution besides the court system.
11. Complete the Village's already in progress efforts to reactivate Landlord Tenant Council with diverse representation of participants including owners of small and large buildings as well as residents from all economic, ethnic, and linguistic backgrounds.

### Potential Benefits

The implementation steps above are aimed at expanding the universe of participants in the code enforcement process. The burdens of the Building Department can be offset by increasing citizen participation while also activating new volunteer entities such as the Code Enforcement Appeals Board and the Landlord Tenants Council. However, the primary benefit of the implementation steps above is not simply the resolution of building code violations but hopefully the prevention of violations from happening in the first place by increasing broad awareness of the regulations. Building owners would hopefully recognize the importance of bringing their dwelling units up to standard. To that end, the Village's approach to 'messaging' the advancement of these steps is as important as the implementation of these steps. Landlords and tenants are more likely to work cooperatively together if the Village provides clear information about key building code requirements in non-legalistic terms and embeds the implementation steps above within a broad multi-lingual communications campaign.

### Challenges and Limitations

Any increase in staffing capacity to the Village Building Department will result in an increased financial burden to the Village. Stricter code enforcement may also be interpreted as overzealous or even harassment by both building owners and tenants. Moreover, a proactive approach may not necessarily constitute the optimal allocation of limited resources especially if routinized observations weaken the Building Department's ability to focus on the resolution of the most egregious and urgent code violations. Finally, if overcrowding is reduced by stricter code enforcement, then some level of displacement may occur, thereby further intensifying the Village's challenges in providing a sufficient supply of affordable housing to lower income residents. Due to the limited number of communities that have formed landlord tenant councils, the effectiveness of this approach with regard to reducing building violation issues remains uncertain. A further challenge is ensuring that the council is adequately staffed by a diverse representation of landlords and tenants, especially given the fears of landlord retribution that some tenants may have in deciding whether or not to assume a more visible role in code enforcement issues. The best way for the Village to ensure a fair and equitable approach to code enforcement is to make sure that the rules and regulations are broadly and multilingually conveyed in simple terms and that citizen run inspection beats are regularized. In this way, everyone is accountable to the same standards and reports of building violations are not personalized.

## Policy Strategy #3: Modify Village Development Incentive Program

### Policy Purpose

- *Ensure that tax incentives for new development result in housing units that meet community needs for mixed income housing and inclusive economic development.*

### Current Conditions

Many localities struggle with determining the appropriate approach to taxing new development projects. Historically, many communities have felt that tax exemptions or PILOTS should be offered on luxury residential projects because they may help to stabilize a distressed area and generate a significant increase in tax ratables over the long-term. On the other hand, tax exemptions are notoriously difficult to determine in relationship to community benefits. Specifically, it is not always clear whether or not a tax exemption will result in housing price points that are affordable to the existing community.

Another concern about providing tax exemptions for new luxury housing is that these new units may have a gentrifying impact on older housing within its immediate vicinity and possibly lead to the displacement of current residents. Lastly, the Village is contemplating opportunities for attracting and preserving businesses that generate tax revenue and provide local jobs. However, the Village does not currently have an incentive program that sufficiently outlines the appropriate methods for supporting the business community.

#### Implementation Steps

1. Prepare a comprehensive inventory of development sites throughout the Village.
2. Determine the optimal land use scenarios for development sites based upon housing and economic development objectives.
3. Formulate a package of draft incentives (including tax exemptions but also density bonuses, and streamlined land use approval) for projects that advance the Village's housing and economic development goals.
4. Solicit feedback on the draft incentives from economic development stakeholders.
5. Publish the incentive program so that prospective developers can easily understand the expectations and benefits of building within the Village.

#### Potential Community Benefits

Instead of reacting ad hoc to various development proposals and analyzing the community benefits offered by them, the Village will have in place a carefully designed incentive program that establishes a baseline expectation of the kinds of community benefits desired from new projects. Ideally, this program will not discourage prospective developers but instead attract a wider more diverse pool of developers whose interests are aligned with the Village's housing and economic development goals.

#### Challenges and Limitations

There is a possibility that the Village will lose out on development opportunities from developers who are able to secure a more generous tax exemption policy without being required to provide the levels of affordable housing and job opportunities required by the Village's incentive program. For sites that are especially difficult to develop, it may be that advantageous for the Village to retain some level of flexibility in determining the optimal incentives for a particular development proposal.

### Policy Strategy #4: Expand the Village's Network of Local Housing Developers

#### Policy Purpose

- *Expand the network of housing developers within the Village of Ossining in order to ensure a more diverse group of builders, enhance access to innovative funding sources, and align new development with housing and economic development goals.*



### Current Conditions

Ossining's housing developers are limited to the Interfaith Council for Action (IFCA), some larger national developers, a few smaller and more local developers, and private landowners. Community Preservation Corporation also has a presence in the Village. Meanwhile, many private developers and non-profit redevelopment entities in the metropolitan New York have only limited awareness of the development opportunities within the Village of Ossining. Moreover, Ossining does not have any community based redevelopment entities focused specifically on Ossining (such as a Community Development Corporation, Land Bank, Community Land Trust or Housing Development Finance Corporations) that are charged specifically with the development and preservation of affordable housing within Ossining.

### Implementation Steps

1. Inventory prospective development sites within the Village of Ossining and make them publicly viewable on the Village website.
2. Host developer outreach events at the Village that are focused on presentation of the development sites as well as the Village's housing and economic development policies.
3. Conduct outreach to Hudson Valley CDCs, Newburgh Land Bank, and community land trusts in order to better understand the opportunities for partnership or replicating such entities within the village.
4. Analyze the invocation of private housing law to enable the conversion of rental buildings and underutilized land into limited equity coops.

### Potential Community Benefits

The creation of community based or tenant housing organizations could help ensure that new housing supply on optimal development sites is sufficiently responsive to housing needs. Moreover, these types of organizations may be eligible for affordable housing funding streams not typically available to private developers or enable new kinds of create partnerships with the Village. Lastly, the Village may also succeed in attracting developers with expertise in building specialized housing products including senior housing and transit-oriented development.

### Challenges and Limitations

A new housing entity in Ossining may not be administratively easy to institutionalize and some of them will require ongoing coordination with Village staff. Also, the effectiveness of such institutions is limited to their ability to construct new housing. Given the small number of vacant sites or vacant buildings, the strength of such entities will be largely limited to the rehabilitation of existing housing. Also, the formation of HDFCs introduces new challenges for ensuring the proper maintenance of buildings.

## Policy Strategy #5: Revise Village Affordable Housing Policy

### Policy Purpose

- *Provide a deeper and broader level of affordability requirements for new housing development to ensure access to affordable housing by lower income households and that supports mixed income housing*

### Current Conditions

*Housing Ossining Technical Paper #2: Regulatory Assessment* offers a detailed description of the Village’s affordable housing policy. Drafted in 2006, the policy required that 10% of units in new buildings with six or more units must be built to be affordable to households making less than 80% AMI. Developments that meet the affordability requirement on site for households making 80% AMI or less are eligible for a density bonus equal to the total number of affordable units provided. If a developer makes 10% of total units affordable to low income households making 60% AMI or less, the developer is eligible for an additional density bonus equal to 5% of the total number of market rate units originally proposed.

Under the Village’s Affordable Housing Program, in cases of hardship, a developer may contribute to affordable housing fund instead of providing on-site housing. This fund can be used by other developers to meet the subsidy required to build an affordable housing unit elsewhere. However, the precise terms of the buyout provision are not clearly defined within the policy and instead buried within the Village’s schedule of fees. So far, it does not appear that developers have opted to contribute to the fund in lieu of building on-site affordable housing. Only a small number of housing units have been built under the program.

Although the Village’s current policy is consistent with many other communities, there are other communities, as shown below, that have applied higher set aside requirement with lower AMI thresholds. Some localities (such as Kirkland, Washington and Boulder, Colorado) have also applied their affordable housing policies even to buildings with less than six units.

Inclusionary Zoning Programs in Westchester		
Community & Date Zoning Adopted	Set-aside %	Buy-out Fee (Yes/No)
1) <a href="#">Town of Bedford, amended in 2012</a> (no change since 2005)	10% single family subdivisions & 20% multi-family (sale units must be affordable to 80% AMI, otherwise not listed)	Yes –only for single-family homes, not permitted in multi-family develop.
2) <a href="#">Village of Hastings, adopted in 2001 (amended 2013)</a>	15% set-aside applies to any residential. develop of 8 or more units (single family, two family or multifamily); 2/3 of set aside units must be for affordable while 1/3 can be workforce or affordable (AMI not listed)	No
3) <a href="#">Town of Greenburgh, adopted in 1996 (amended in 2008, but no change)</a>	10% of new units in multifamily districts (Affordable housing defined as 80% AMI)	No
4) <a href="#">Town of North Salem, adopted in 2000 (amended 2012)</a>	10% and 20% set asides in selected districts; 60% AMI for rentals and 2.5x max family income for sales	No
5) <a href="#">Village of Port Chester, adopted in 2004 (no change)</a>	10% of new multi-family units in selected districts (80% AMI)	No
6) <a href="#">Town of Somers, adopted in</a>	15% of all permitted residential units	

**HOUSING OSSINING TECHNICAL PAPER #4: POLICY FRAMEWORK**

<a href="#">2003 (amended in 2008)</a>	(80% AMI)	No
7) City of White Plains, adopted in 2001 (cannot find)	6% set aside in new multi-family districts in the downtown area	No- Rentals Yes –If ownership
8) <a href="#">City of Yonkers, adopted as follow-up to the 1988 Court mandated Housing Remedy Order (amended 2013)</a>	10% of units set aside: 40% of those for 40% to 65% AMI, 20% for 66% to 80% AMI, 40% for 80% to 100% AMI; developments under 20 units exempt	Yes—Affordable Housing Trust Fund
9) <a href="#">Town of Yorktown, adopted in 2005 (amended 2012)</a>	10% set-aside in residential subdivisions & 10% set-aside if multi-family – but at least 15% in new multi-family of 31+ units. (80% AMI)	No
10) <a href="#">City of New Rochelle (amended 2016 but no substantive change)</a>	10% set-aside rental & ownership. Requirements for 80% AMI, but 60% AMI referenced for construction by Housing Fund	Yes

Implementation Steps

1. Modify the housing policy so that that 20% of units in new buildings with four or more units must be built to be affordable to households making less than 60% AMI.
2. Offer existing landowners tax incentives for voluntarily allocating 10% of their existing units as affordable for households making 40% to 60% of AMI.
3. Stipulate concrete buyout provisions that ensure that developers are still incentivized to build on-site units and that the price of a buyout is enough to meet the cost of providing affordable housing.

Potential Community Benefits

A more aggressive inclusionary housing program ensures that a greater number of housing units will be affordable at a wider range of price points and that luxury housing will not become the only type of housing built in new developments. If the inclusionary housing program could be applied on a voluntary basis to existing buildings, then the Village’s total pool of affordable units would be increased. By explicating the terms of the affordable housing fund, the Village could create a stable revenue source that could be used to support the development of very low-income housing (30% AMI) or (b) offset rehabilitation costs for distressed building.

Challenges and Limitations

Inclusionary zoning’s success is typically dependent on the scale of new housing development activity. Even if the required coverage is increased from 10% to 20%, only a relatively small number of units compared with the total number of housing units in the Village would be affected. The other 80% of market rate units could be priced significantly beyond levels affordable to most current residents. The effectiveness of the housing fund is constrained by the scale of new housing development constructed. Given the limitations of development sites, it may be possible that very little to no contribution is made to the fund. The application of voluntary inclusionary housing to new buildings is uncommon. However, since the idea has been suggested by the local development community, careful consideration should still be given to the possibility of exchanging some kind of incentive for affordable housing allocations.

## Policy Strategy #6: Eliminate Regulatory Barriers to Housing Development

### Policy Purpose

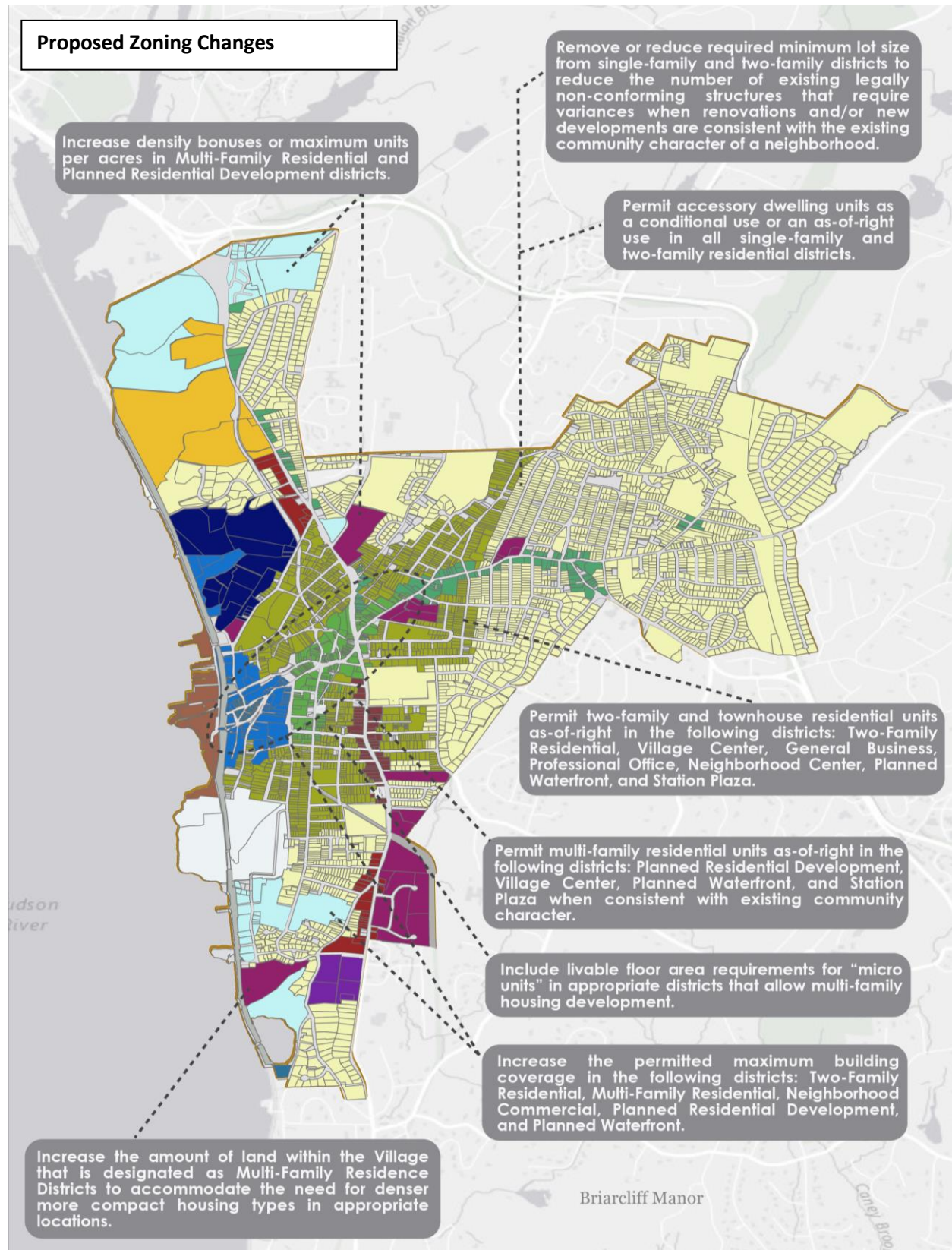
- *Update the Village's Comprehensive Plan and Zoning Regulations to enable the construction of multi-family housing in places where there already is a prevailing pattern of multi-family housing*

### Current Conditions

As discussed in great detail in *Housing Ossining Technical Paper #2: Regulatory Assessment*, the Village's 2009 Comprehensive Plan provides objectives related to multi-family housing development and affordable housing preservation. However, the plan lacks strong housing policy language, restricts as-of-right residential development, and fails to identify geographic priority areas for high density residential development.

While the Comprehensive Plan mentions the desire for mixed use development and infill development in areas such as the waterfront and downtown, the language in these sections regarding residential and multifamily housing does not offer a sufficiently coherent vision for strong residential communities in these areas. As the language stands, residential development is permitted, but not expressly encouraged. Similarly, in an attempt to combat issues associated with overcrowding, the comprehensive plan specifically restricts two-family and multi-family residential uses to conditional uses even in areas where there already is multifamily housing. Consequently, the conversion of a single-family home to a two-family home is administratively burdensome even in a two-family district. Finally, the Comprehensive Plan creates barriers for housing development by specifically identifying where multi-family housing is not encouraged, such as GB districts, but failing to identify target areas where densification and new housing development should be directed.

Similarly, the current zoning code, reflecting historical concerns about overcrowding, restricts multi-family and two-family development and densification in areas that are prime for increasing housing development. Non-traditional housing typologies such as accessory dwelling units and micro-units are not defined or explicitly regulated within the existing zoning code. Maximum building coverage requirements prohibit the full and efficient use of land within the Village. Sixty percent of the land area in the Village is zoned as single-family or two-family residence districts whereas less than five percent of land is dedicated to multi-family residential districts.



### Implementation Steps

1. Revise the comprehensive plan to:
  - Identify geographic priority areas for residential densification within the Village;
  - Add stronger policy language that encourages multi-family residential units as a strong/majority component in mixed-use development; and
  - Support zoning, especially in downtown and commercial districts, that enables multifamily and two-family residential development as of right.
  
2. Revise the zoning code to:
  - Permit two-family and townhouse residential units as-of-right in the following districts: Two-Family Residence, Village Center, General Business, Professional Office, Neighborhood Center, Planned Waterfront, and Station Plaza.
  - Permit multi-family residential units as-of-right in the following districts: Planned Residential Development, Village Center, Planned Waterfront, and Station Plaza when consistent with existing community character.
  - Permit accessory dwelling units as a conditional use or an as-of-right use in all single-family and two-family residential districts.
  - Include livable floor area requirements for “micro units” in appropriate districts.
  - Increase the permitted maximum building coverage in the following districts: Two-Family Residence, Multi-Family Residence, Neighborhood Commercial, Planned Residential Development, and Planned Waterfront.
  - Increase the amount of land within the Village that is designated as Multi-Family Residence Districts to accommodate the need for denser more compact housing types in appropriate locations.
  - Increase density bonuses or maximum units per acres in Multi-Family Residence and Planned Residential Development districts.
  - Remove or reduce required minimum lot size from single-family and two-family districts to reduce the number of existing legally non-conforming structures that necessitate variances when renovations and/or new developments are consistent with the existing community character of a neighborhood.

### Potential Community Benefits

The revision of the comprehensive plan and the zoning code could help make it easier for property owners and developers to increase housing supply without requiring variances. However, the housing supply would only be increased in areas that are appropriate for greater density based upon the prevailing pattern of built form in that area. Instead of property owners taxing the land use approval process with requests for waivers and variances, they would be allowed to build multifamily housing as-of-right in places where there already are multifamily housing units. The revision of the Village’s land use regulations would therefore create logic and clarity to the development rules and so encourage more developers to construct housing in suitable places within Ossining. This increase in housing, built at a high level of quality and in full accordance with building regulations, would also help offset the elimination of informal or illegal housing through stricter code enforcement. In other words, legal

density would be allowed in places where existing land use patterns warrant a higher intensity of land use while density and overcrowding would be eliminated in places where it is happening illegally.

#### Challenges and Limitations

One of the reasons behind the Village's seemingly contradictory zoning codes is fear of overcrowding. Specifically, higher density housing was restricted even in areas where there already was an established legal framework for higher densities and an already existing high intensity of land use. These perceptions may persist. Some residents fear that allowing the zoning code to enable higher densities of housing will lead to overcrowding and thereby promote unsafe living conditions as well as increased pressures on the transportation system and parking supply.

Another core concern of many residents in Ossining is that higher density housing will result in a larger population of school children that will only further exasperate the capacity issues already confronting the Ossining School District. There is no easy answer to ensuring that the school district has sufficient funds and building capacity in order to accommodate increased enrollment. The reform of school district funding will require policy changes that go far beyond the purview of the Village of Ossining. On the other hand, the liberalization of land use regulations may not necessarily result in a net increase of new Ossining residents but rather the migration of existing residents from substandard housing conditions to higher quality dwelling units. New housing units may appeal to a broad cross-section of residents including families with children but also seniors desiring to age in Ossining but without the burdens of maintaining a single-family home.

Before the Village advances zoning changes, it should already have in place the new code enforcement program. The Village should also undertake a careful visual documentation of the areas proposed for rezoning and show the contextuality for allowing multi-family development. Finally, the Village will need to work carefully with the School District to better understand ways that new housing development could potentially provide funding support for preserving and expanding school facilities.

### Policy Strategy #7: Improve Transit Access and Reduce Automobile Dependency

#### Policy Purpose

- *Limit the effects of automobile dependency on neighborhood conditions while increasing transit access and encouraging more affordable transit oriented development.*

#### Current Conditions

Parking and transportation policy has a significant impact on the performance and affordability of a locality's housing supply. Like many communities, the Village regulates overnight parking in its residential areas. In order to obtain an overnight parking waiver in the Village of Ossining, an application must be filled out and returned to Village Hall by mail or by hand along with all of the requested documents including vehicle registrations and documents establishing residency or another connection to Ossining. However, the granting of such a sticker is not limited by the number of households in a given multi-family unit. As a result, a house could be legally overcrowded but still be eligible for an unlimited number of parking permits, thereby further encouraging overcrowding.

A second issue is the high number of off-street parking allotments required for residential developments. These allotments in turn raise the cost of housing, costs which are then passed onto the tenant. Moreover, there is only limited development space within Ossining. Every piece of land allocated to construction of a parking space is land that otherwise could have been used for housing. For a detailed discussion of the parking requirements in each of the Village's zoning districts, see *Housing Ossining Technical Paper #2: Regulatory Assessment*.

Lastly, the Village's limited mass transit service means that most residents must rely on private automobiles for most of their trips. Vehicular dependency compromises housing needs in several ways. First, automobile dependency increases the need for more parking throughout the Village, and therefore reduces the amount of land available for housing construction as noted above. Secondly, the cost of acquiring and owning an automobile is especially burdensome for lower income households already struggling to meet housing costs. Third, the need to own an automobile limits where a person works and what type of employment they can find.

#### Implementation Steps

1. Regulate number of on-street parking permits issued per housing unit.
2. Reduce minimum off-street parking requirements in older single-family neighborhoods and transit-supported residential districts.
3. Consider granting density bonuses to developers who are able to share parking with existing lots.
4. Work with Westchester County Department of Public Works and Transportation to improve Bee Line Bus service frequency in Ossining, especially along corridors with high residential density.

#### Potential Community Benefits

The proposed limitations on parking permits could help reduce overcrowding while also providing relief to neighborhoods overcome by limited parking supply. Meanwhile, relaxing the parking requirements for multi-family developments, especially those downtown and well-served by transit, could help to reduce the overall construction costs of new development and therefore make it easier for developers to provide more affordable units. Lastly, improved transportation options would not only give residents a more affordable way of commuting but also reduce the pressure to allocate limited land holdings to parking.

#### Challenges and Limitations

Regulating on-street parking will not directly address the root factors causing residential overcrowding. The burden of these regulations will fall upon tenants in overcrowded units and could potentially lead to their displacement.

The proposed reduction of parking requirements has limited benefit in that it would only apply to new housing developments and will not address inefficient land allocations for older developments.

Lastly, upgrading service levels and modifying bus routes is a difficult undertaking for most localities. The proposed changes to a local transit system may take a long time and may be difficult to synchronize with changes in housing policy.



## Policy Strategy #8: Apply State Rent Stabilization Law to Eligible Multi-Family Buildings

### Policy Purpose

- *Protect renters from dramatic rent increases, poor building conditions, and displacement by regulating eligible buildings under the Emergency Tenant Protection Act.*

### Current Conditions

In 1974, New York State created a provision called the Emergency Tenant Protection Act (ETPA) that allows municipalities located in certain suburban counties in the New York Metropolitan Area to adopt a form of rent stabilization. While Westchester County is one of the counties included in the ETPA, each individual village, town, or city must formally adopt ETPA under the condition that there is less than a 5% housing vacancy in the jurisdiction. When a building in Westchester is rent stabilized under ETPA, the annual allowable rental increases are determined by the Westchester County Rent Guidelines Board. Additionally, the operation of rent stabilized units is regulated by rules promulgated by the New York State Department of Housing and Community Renewal (DHCR). These rules establish requirements for lease renewals, establish building maintenance standards and penalties, and provide processes for building owners to recover the cost of capital improvements through bounded rental increases. The renter protections under ETPA can only be applied to buildings constructed prior to 1974 and with six or more units. ETPA also require landlords to offer tenants 1 or 2-year lease renewals.

Ossining has considered ETPA several times in recent years. Attention to affordability and the possibility of adoption was raised in the early 2000s. By the summer of 2005, residents were writing op-eds in local papers and pressing for the adoption of the ETPA in Ossining. Many were particularly alarmed at the rising rents in developments like Claremont Gardens. The pro-ETPA sentiments remained strong and alive for at least the next year. Although the beliefs likely remained among some in the community, the push to adopt ETPA did not resurface until 2016 when several protests were held in support of ETPA and at least one public forum was devoted to its discussion at a Village Board meeting.

In September 2016, a housing vacancy study was completed for all multifamily units in buildings with six units or more constructed before 1974. The Multifamily Vacancy Study, conducted by Community Housing Innovations, concluded that the vacancy rate for these units is approximately 3.09%. Vacancy data, published in *Housing Ossining Technical Paper #1: Quantitative Analysis*, indicates that the vacancy rate for rental building is 5.09% for all rental buildings within Ossining for the period between 2011 and 2015. The New York State Department of Housing and Community Renewal does not provide concrete guidance on the best way to perform the vacancy study for the purposes of determining a locality's eligibility for rent stabilization. There are no regulations suggesting that the vacancy rate cannot be determined on the basis of a subset of total properties as was done as part of the Community Housing Innovations Study.

There are currently 19 municipalities in Westchester County that have adopted ETPA. The vast majority of these municipalities adopted ETPA's provisions in the 1970s, but two, Croton-on-Hudson and the City of Rye have adopted since the year 2000. The table below contains information pertaining to ETPA for all of these communities including the minimum number of units in a building needed to trigger ETPA, the year the municipality adopted ETPA, and the approximate number of units covered by ETPA in the municipality. The number of units covered by ETPA is estimated through an examination of the local budgets where each municipality is entitled to collect a \$10 administrative fee from landlords for each unit. The vast majority of ETPA units in Westchester are in Yonkers, Mount Vernon, and New Rochelle.

Localities with Rent Stabilization in Westchester			
Municipality	Minimum Units	Year Adopted	Units (Fee Paid)
Croton-on-Hudson	50	2003	N/A
Dobbs Ferry	6	1974	550
Eastchester	6	1974	372
Greenburgh	6	1980 or before	N/A
Harrison	6	N/A	290
Hastings	6	N/A	350
Irvington	20	N/A	66
Larchmont	6	N/A	200
Mamaroneck Town	6	1976	244
Mount Kisco	16	1979	74
Mount Vernon	6	1976	6,500
New Rochelle	6	N/A	5,000
Pleasantville	20	1979	39
Port Chester	12	N/A	400
Rye	50	2006	N/A
Sleepy Hollow	10	N/A	~240
Tarrytown	6	1974	650
White Plains	6	1974	2,750
Yonkers	6	N/A	21,060

### Implementation Steps

1. Continually monitor the rate of rental increases and displacement of residents in ETPA eligible buildings through landlord and tenant surveys.
2. Implement other elements of the Housing Policy Framework and evaluate their effectiveness in meeting housing needs.
3. Monitor the distribution of building violations between ETPA eligible buildings and smaller non-ETPA eligible buildings.
4. Update the vacancy study with the most recently available census information or through administration of a new survey.
5. Reconsider rent stabilization based upon the outcomes of the Housing Policy Framework and re-evaluation of housing market trends.

### Potential Community Benefits

If the Village of Ossining adopted ETPA, at least 1200 rental units could be potentially subject to rent stabilization. These 1200 units constitute 29% of the Village's total number of rental units and 14% of its total number of housing units. As such, ETPA could ensure long-term affordability for current residents at a dramatically greater scale than what could be provided through inclusionary zoning, a program

whose effectiveness is limited to the increased supply of new housing units. It is possible that the number of rent stabilized units would decline due to high-rent deregulation<sup>2</sup>, high-rent high-income deregulation<sup>3</sup>, or the conversion of rental buildings to owner occupied condominiums or cooperatives. Nonetheless, there is no other mechanism available to the Village of Ossining that can come even close to tempering exorbitant rent increases as would adoption of ETPA.

Moreover, ETPA not only regulates the permissible amount of rental increases. It also enfold buildings into a state regulatory structure in which maintenance issues, lease renewals, and capital improvements are supervised by DHCR. The adoption of ETPA also allows for the locality to adopt rent increase exemption programs for disabled persons and seniors.

The combined effect of price regulations, complaint procedures, and lease renewals all help to protect economically and racially diverse residents from being displaced as a result of rental fees, landlord retaliation for building complaints, or broader gentrification patterns. Due to data limitations, it is difficult to accurately gauge recent rental increases and displacement levels in ETPA eligible buildings. Anecdotal evidence, however, does not suggest exorbitant price increases or massive displacement currently unfolding in ETPA eligible buildings in Ossining. However, given the rising costs of housing in New York City and development patterns in Westchester, it is indeed possible to imagine that significant increases in rental rates could eventually occur in Ossining. The adoption of ETPA would help protect residents from being displaced from their homes in the event of such price increases.

### Challenges and Limitations

Inasmuch as ETPA protects renters from dramatic price escalations or building maintenance problems, the effectiveness of the current legislation in meeting housing needs is constrained by the limited pool of buildings eligible for inclusion. As noted above, the state law only allows for rent stabilization to be applied to buildings constructed prior to 1974 and with six or more units. This means that 70% of the village's rental units and 86% of total housing units would not be affected at all by the adoption of ETPA. Newer and smaller rental buildings would not be subject to rent stabilization. The fact that ETPA covers only a segment of the village's total number of housing units is problematic on two levels. First, adoption of ETPA would create a bifurcated code enforcement process in which some buildings would be overseen exclusively by the Village Building Department whereas other buildings would be subject to oversight by DCHR as well as the Village. The greater issue, however, is that much of the Village's challenges with regard to building maintenance issues and overcrowding reside not in the larger apartment buildings eligible for ETPA but within smaller buildings not eligible for ETPA. As such adopting ETPA, in and of itself would still leave a significant set of housing issues unaddressed.

A second problem with ETPA is that it is not a need-based affordable housing program. Although there are provisions for deregulation on the basis of a household's income exceeding \$200,000, there is no regulation or enforcement mechanism that ensures that rent stabilized apartments are rented to households requiring lower priced apartments on the basis of their financial need. Rent stabilization and succession provisions may compel tenants to stay in their units for a long period even if the unit no longer matches their housing needs. As such, tenants in greater need of affordable housing may have less access to stabilized units than tenants with a lower need for affordable housing. It should also be

---

<sup>2</sup> The existing deregulation threshold for Westchester County is \$2,774.73.

<sup>3</sup> Units may be deregulated if the tenant reports more than \$200,000 in income for two consecutive years on their New York State income tax returns.

noted, however, that most ETPA eligible buildings are not luxury, high amenity buildings. As such there is a very high possibility that ETPA buildings would serve a great number of lower income households regardless of the lack of means testing.

Critics of ETPA have also suggested that ETPA would reduce a building’s net operating income, making it harder for building owners to meet the financial costs of building maintenance and also leading to lower tax revenues on account of building devaluation. However, it should also be noted that economic evaluations of rent stabilization programs in Westchester and New York City do not reveal that rent stabilization broadly reduces the capacity of the owners to afford maintenance expenses. The degree of building devaluation is also difficult to gauge as it depends on the rent increase permitted by the rent guidelines board and the gap between stabilized rents versus market rents.

ETPA may require increased administrative burdens on the part of the locality in order to meet the reporting requirements mandated by New York State Department of Housing & Community Renewal. However, the degree and extent of this burden may be more than offset by the community benefits from preserved affordable housing. More significant, however, may be the administrative burdens experienced by landlords with regard to lease renewals, complaint procedures, and capital improvements. These burdens may in turn make it harder rather than easier for landlords of ETPA eligible apartment units to expediently resolve building condition issues.

### SECTION 3: EVALUATION OF POLICY STRATEGIES

The table below is offered as a simple means for evaluating the potential effectiveness of the proposed policy strategies in redressing the housing issues discussed in Section 1 of this paper.

Proposed Housing Policy Strategy	Substandard Living Conditions	Rising Housing Costs	Limited Economic Development Activity	Barriers to Developing New Housing	Community Displacement
1 Increase Village Leadership in Economic Development			✓	✓	
2 Adopt a Proactive Approach to Building Code Enforcement	✓			✓	
3 Modify Village Development Incentive Program		✓	✓	✓	✓
4 Expand the Village’s Network of Local Housing Developers	✓		✓	✓	✓
5 Revise Village Affordable Housing Policy		✓		✓	✓
6 Eliminate Regulatory Barriers to Housing Development	✓	✓	✓	✓	✓
7 Improve Transit Access and Reduce Automobile Dependency	✓			✓	
8 Apply State Rent Stabilization Law to Eligible Multi-Family Buildings	✓	✓			✓

## SECTION 4: IMPLEMENTATION AND PHASING RECOMMENDATIONS

All eight policies should be considered by the Village of Ossining. None of them, including the adoption of rent stabilization, should be considered fatally flawed. However, the Village should exercise caution in the sequence in which various measures are further evaluated and undertake a careful process of advancing from one strategy to the next. As such, the policy strategies in this paper were not sequenced arbitrarily but rather in the order, albeit loosely defined, in which they should be implemented. It is expected that all of these policy strategies can be considered for adoption within the next 36 months.

The very first implementation action should be the appointment of an economic development specialist to support the Village's Planning and Development Director on the implementation of an economic development strategy that harmonizes with the housing policies. The success of so many of these strategies is dependent on the building of strategic partnerships and designing of effective communication strategies. Besides supporting the Planning and Development Director in these areas, the economic development specialist could help analyze the funding options and fiscal impacts of the other strategies. Moreover, the specialist can help to address the issues of educational access, vocational training, and job placement that enhance the economic mobility of the Village's lowest income residents.

Given the human safety concerns surrounding poor building conditions, the second strategy regarding code enforcement should become the Village's second priority after hiring the economic development specialist. While ETPA offers a mechanism for redressing *some* of the distressed buildings, only a proactive code enforcement process run by the Village can address the property maintenance and overcrowding issues for *all* of the village's building stock and especially its smaller multi-family buildings.

The third strategy related to modification of the Village's development incentive program is an easy fix with broad support and should be done fairly soon so that it can affect imminent development proposals. It is important, however, that the Village not simply establish a policy with regard to tax exemptions for new housing developments but examine the full range of incentives for attracting quality inclusive development to the Village.

The expansion of the Village's network of local housing developers, as expressed in the fourth strategy, is a task highly appropriate for the economic development specialist. And with the development incentive program in place, it will be easier to promote the development of key sites in accordance with the goals of the Village's housing and economic development policies.

The revision of the Village's Affordable Housing Policy should then be done in lockstep with the elimination of regulatory barriers to housing development and the advancement of sustainable transportation policies. Housing, land use, and transportation are all interrelated disciplines that merit careful linkages through the updating of the Village's comprehensive plan. In particular, the densification of land use within the Village's downtown and train station area raises valid community concerns about traffic impacts, school capacity constraints, and community character. As such a holistic approach should be taken to proposals for intensifying land use so that they maximize community benefit and limit adverse impacts.

Finally, with its code enforcement practices, land use regulations, and economic development program firmly in place, the Village should then consider the viability of rent stabilization based upon current market trends and vacancy levels. The deferred consideration of ETPA should not be misunderstood as a

rejection of its merits. As noted in the discussion of Policy Strategy #8, compared with other interventions, rent stabilization indeed promises the greatest protection against displacement for the tenants residing within ETPA eligible units. However, ETPA does not address the overwhelming variety of housing units in the Village nor can it fully resolve all of issues that the Village is currently confronting. For example, the issue of poor building conditions can and should be addressed for all residential units, not a subset of them. Moreover, careful attention must be paid to the supply of new housing units coming online into the Village. While ETPA confers benefits to existing tenants, it does not ensure fair and equitable access to new housing units nor does it link housing eligibility to economic need. The prospect of Ossining becoming increasingly unaffordable is a legitimate concern especially given the spillover effects of the New York City housing market and changing settlement patterns in the Hudson Valley. If rental increases and tenant displacement in ETPA eligible buildings demonstrably begins to soar and if other code-enforcement strategies prove ineffective in redressing the building condition issues in older multi-family buildings, the Village should then re-evaluate the prudence of rent stabilization. However, the other more broadly applicable policies outlined in this framework should be implemented first.



# PHILMONT HOUSING STUDY

**WORKING DRAFT**

November 4<sup>th</sup>, 2024

Prepared for the Village of Philmont

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## Table of Contents

- EXECUTIVE SUMMARY ..... 3**
  - Proposed Housing Policies and Actions for the Village of Philmont ..... 4
- CHAPTER 1: HOUSING NEEDS ASSESSMENT ..... 5**
- DEMOGRAPHIC TRENDS..... 6**
  - Population Trends ..... 6
  - Time of Arrival to Philmont..... 6
  - Household Trends ..... 7
  - Age Distribution ..... 8
  - Racial Composition ..... 9
  - Income Levels ..... 10
  - Public Assistance..... 11
  - Poverty Levels ..... 12
- HOUSING INVENTORY ..... 13**
  - Housing Supply ..... 13
  - Housing Density ..... 14
  - Types of Housing Units ..... 14
  - New Construction ..... 15
  - Housing Tenure ..... 15
  - Short-Term Rental Apartments ..... 17
  - Desired Housing Inventory..... 17
- HOUSING CONDITIONS ..... 20**
  - Household Size..... 20
  - Time of Occupancy ..... 21
  - Vacant Units ..... 21
  - Building Violations and Condemnations..... 22
  - Tax Delinquencies ..... 22
  - Resident Experiences of Housing Conditions..... 22
  - Neighborhood Amenities..... 23
  - Housing Barriers & Challenges..... 24
- HOUSING AFFORDABILITY ..... 25**
  - Housing Costs..... 25
  - Housing Cost Burden ..... 27
  - Fear of Displacement ..... 30
- MARKET TRENDS ..... 31**



Home Sales Market.....	31
Rental Market .....	32
<b>CHAPTER 2: POLICIES AND REGULATIONS .....</b>	<b>35</b>
<b>POLICIES .....</b>	<b>35</b>
Philmont Comprehensive Plan (2002) .....	35
New York State Pro-Housing Community Certification (2024) .....	36
<b>REGULATIONS.....</b>	<b>36</b>
Philmont Zoning Code.....	36
Building Code .....	39
Code Enforcement Regulations.....	39
Vacant Property Regulations.....	41
Rental Registry Regulations .....	42
Short-Term Rental Policy.....	42
<b>CHAPTER 3: PROPOSED POLICIES AND ACTIONS.....</b>	<b>42</b>
<b>STRUCTURE OF FRAMEWORK.....</b>	<b>43</b>
Policy Statements.....	43
Potential Actions to Implement Policy.....	43
Housing Needs .....	43
Housing Opportunities.....	43
Housing Constraints .....	43
<b>PROPOSED HOUSING POLICY FRAMEWORK.....</b>	<b>44</b>
Policy 1: Preserve Philmont’s Residential Neighborhoods, View Corridors, & Open Spaces .....	44
Policy 2: Increase the Supply of Rental Housing .....	45
Policy 3: Provide Greater Opportunities For Affordable Homeownership .....	46
Policy 4: Improve Housing Conditions .....	46
Policy 5: Incentivize Wider Variety of Housing Units .....	47
<b>CHAPTER 4: IMPLEMENTATION PLAN .....</b>	<b>49</b>
Policy 1: Preserve Philmont’s Residential Neighborhoods, View Corridors, & Open Spaces .....	49
Policy 2: Increase the Supply of Rental Housing .....	52
Policy 3: Expand Opportunities for Affordable Homeownership.....	54
Policy 4: Improve Housing Conditions .....	55
Policy 5: Incentivize Wider Variety of Housing Units .....	58

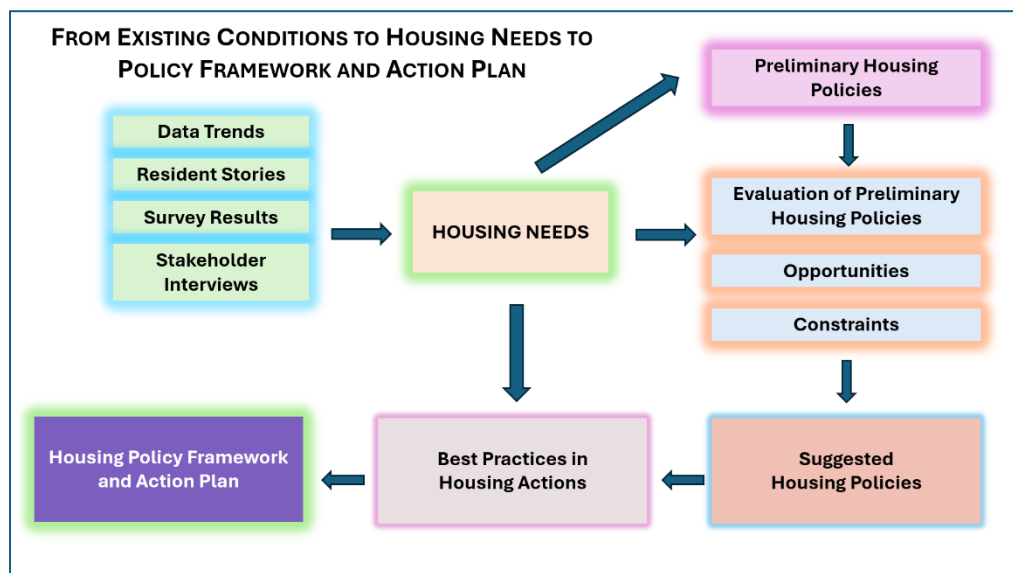
## EXECUTIVE SUMMARY

Like many communities in New York State, the Village of Philmont has been confronted by rising housing costs and the continuing challenges of maintaining an aging housing stock. As regional housing shortages have resulted in higher priced homes on both the rental and sales markets, the inventory of available homes in Philmont has diminished considerably over the last ten years. The result is that many Philmont residents are finding it difficult to secure housing options as their income levels and housing needs change over time. Meanwhile, many residents are encountering increased difficulty in meeting their monthly housing costs. Alongside these challenges, the Village is also blessed with a diverse housing inventory, a historic Main Street, and an enduring sense of community.

As a way of continuing to ensure that Philmont residents can continue to stay within the Village and enjoy a high quality housing experience, the Village embarked upon a housing study in April 2024. With financial support from New York State Department of Housing & Community Renewal, the Village engaged Kevin Dwarka LLC to lead a study that would culminate in a housing policy framework and action plan that could be integrated into the Village’s Comprehensive Plan, currently in the process of being updated.

This document includes draft versions of the four working papers that were prepared by Kevin Dwarka LLC with assistance from Pace Land Use Law Center over the last eight months. Presented as chapters within this integrated document, these working papers assessed housing needs; documented the Village’s existing policies and regulations related to housing; proposed a policy framework and action plan; and outlined specific implementation steps and best practices for executing the proposed plans.

As shown in the process diagram below, the Philmont Housing Study was shaped not only by rigorous technical analysis but also a robust community engagement process that included interviews with residents, a housing needs survey, a visual preference survey, and conversations with residents attending the 2024 Community Day. In releasing this draft document, the Village hopes that residents will offer their input on the draft document. Kevin Dwarka LLC will prepare a final version of this document that reflects community input along with feedback collected from other housing stakeholders.



Proposed Housing Policies and Actions for the Village of Philmont	
<b>Policy 1: Preserve Philmont’s Residential Neighborhoods, View Corridors, and Open Spaces</b>	
1A. Maintain low-density zoning in neighborhoods	
1B. Maximize protection of open space	
1C. Encourage historic preservation of existing buildings	
1D. Regulate short-term rentals	
<b>Policy 2: Increase the Supply of Rental Housing</b>	
2A. Revise zoning regulations to encourage housing production in appropriate parts of the Village	
2B. Promote Accessory Dwelling Units through financial incentives & streamlined approvals	
2C. Pursue funding programs that would help non-profit housing developers to build affordable rental housing in Philmont	
<b>Policy 3: Expand Opportunities for Affordable Homeownership</b>	
3A. Encourage production of alternative forms of home ownership through partnerships with non-profit housing organizations	
3B. Adopt tax incentives that reduce the costs of homeownership	
<b>Policy 4: Improve Housing Conditions</b>	
4A. Adopt tax incentives for home improvements	
4B. Provide financial support for home improvements and façade improvements	
4C. Optimize code enforcement process	
4D. Improve administration of rental registry and expand its scope of functions to improve access to information on building code compliance and enhance tenant – landlord relations	
4E. Improve administration of vacant property registry	
<b>Policy 5: Incentivize Wider Variety of Housing Units</b>	
5A. Adopt building & zoning regulations that permit development of smaller units	

## CHAPTER 1: HOUSING NEEDS ASSESSMENT

Based on extensive community outreach, stakeholder interviews and quantitative analysis, this chapter is aimed at identifying the type and price of housing needed by current and future Philmont residents. The document will be used as a tool for generating a comprehensive housing policy framework that will be used as the basis for updating the housing element of the Village’s Comprehensive Plan. The document is divided into five sections whose technical approach is summarized below.

- **Section I** describes the demographic composition of the Village while drawing comparisons between the Village and the City of Hudson and Columbia County. In order to redress some of the margin of error issues related to using US Census American Community Survey data, this section includes US Census Decennial Data as well as information gleaned from the 2024 Philmont Housing Survey. This survey, conducted between the end of May and the end of July, was completed by 114 respondents, representing more than 8% of the Village’s current population.
- **Section II** inventories the Village’s housing stock including the total number of units, density levels, and housing tenure. Most of this section draws upon data from the US Census American Community Survey.
- **Section III** presents data on housing conditions including physical conditions as well as trends in occupancy and tax payment compliance. The section draws upon a combination of quantitative data collected from the census, the Village, and the County as well as qualitative information gleaned from the housing survey.
- **Section IV** analyzes the affordability of the Village’s housing stock with an emphasis on the degree to which renters and homeowners are experiencing housing cost burdens.
- **Section V** tracks current housing market trends in the Village as well as the City of Hudson and Columbia County. Drawing upon data from New York State’s Office of Real Property and Tax Services as well as real estate industry data, this section documents the price increases and inventory shortages that are confronting current and prospective Philmont residents.

As the Village’s housing policy framework and action plan continues to evolve, the information in this chapter will be updated with new data sources and observations from residents and housing stakeholders.

## DEMOGRAPHIC TRENDS

### Population Trends

Decennial data indicates that the Village of Philmont’s population of 1,379 individuals remained unchanged between 2010 and 2020. Population declined in Columbia County (-2%) and even more dramatically within the City of Hudson (-12%). Although stable or declining population levels may indicate a reduced need for housing, other demographic factors, including age and income levels, also shape the amount, type, and price of housing that is needed by a local population.

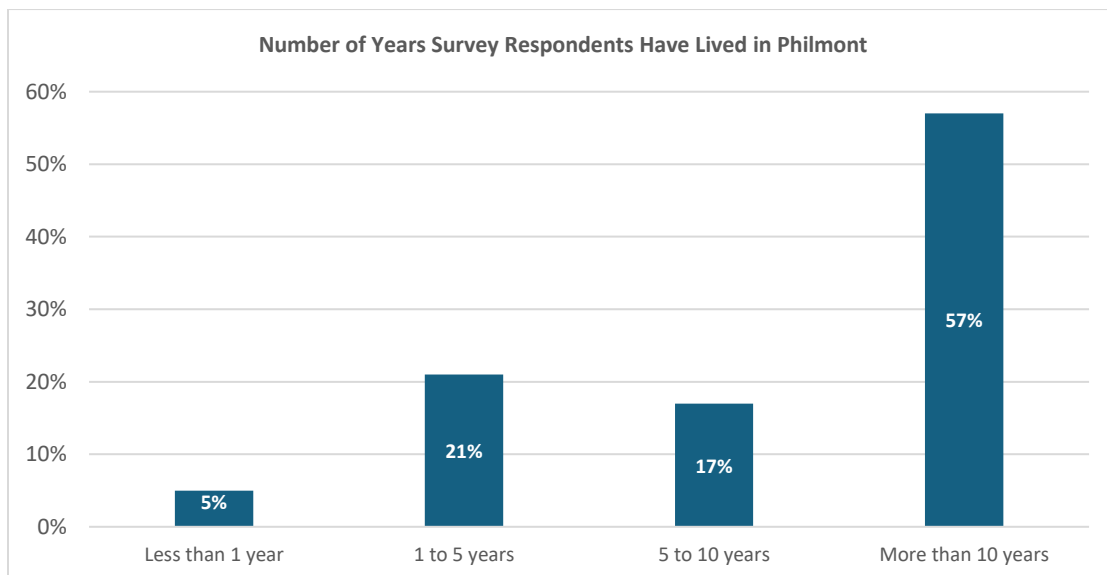
Population Shifts, 2010 – 2020				
	2010	2020	Change 2010 - 2020 (#)	Change 2010 - 2020 (%)
Village of Philmont	1,379	1,377	-2	0%
City of Hudson	6,713	5,894	-819	-12%
Columbia County	63,096	61,570	-1,526	-2%

Source: US Census Decennial Data

Also of concern is the degree to which a declining regional population may reflect a contracted labor supply on account of rising housing costs. A shrinking supply of workers may lead to a community’s undersupply of essential workers. Anecdotal evidence collected through stakeholder interviews suggests that limited housing inventory and rising housing costs have made it difficult for the Village to retain and attract teachers, public safety workers, agricultural laborers, and retail staff.

### Time of Arrival to Philmont

More than half of respondents have been living in Philmont for more than ten years, and 74% have been there for at least five. Only 5% of respondents arrived less than a year ago.



Source: 2024 Philmont Housing Survey

## Household Trends

### Number of Households

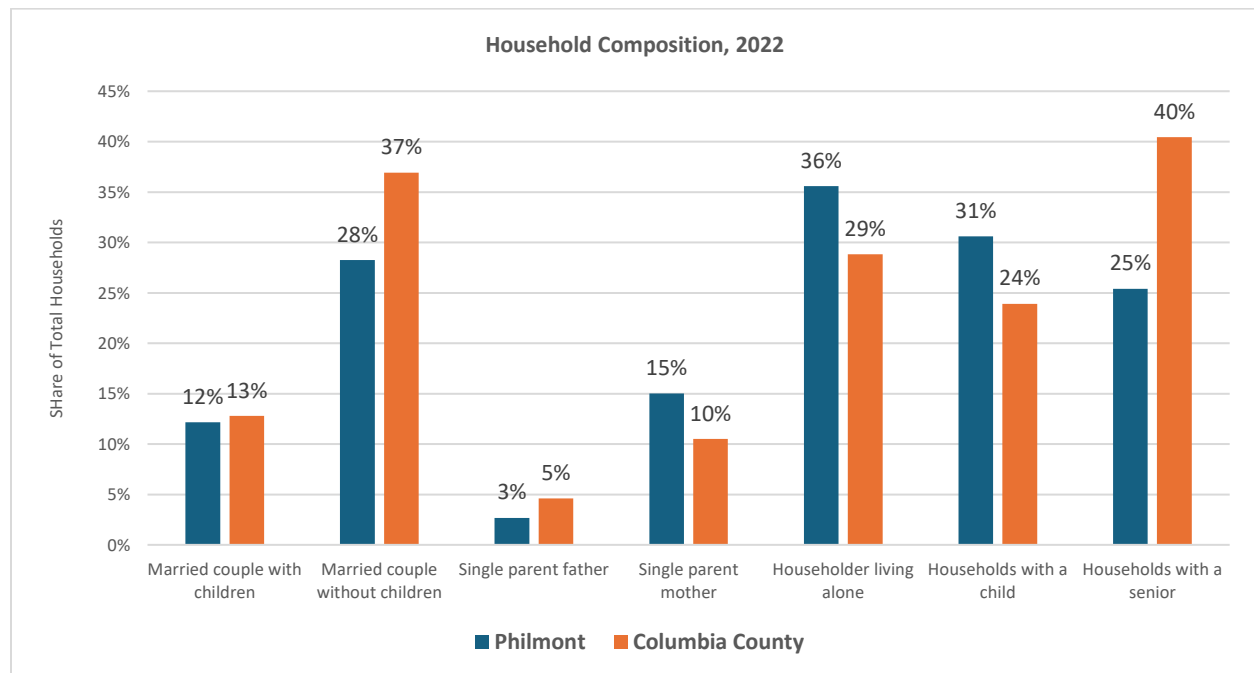
American Community Survey data shows that the number of households in Philmont increased by 11%, from 502 households in 2012 to 559 households in 2022. The data also shows a dramatic change in the number of householders living alone, rising from 65 households in 2012 to 199 households in 2022, a share representing more than 1/3<sup>rd</sup> of all households in the Village.

Number of Households in Philmont, 2012 - 2022			
	2012	2022	Change 2012 - 2022
Total households	502	559	11%
Householder living alone	65	199	206%
Household with a senior (age 65+)	133	142	7%
Household with children	169	171	1%
Average household size	2.46	2.63	7%

Source: American Community Survey

### Household Composition

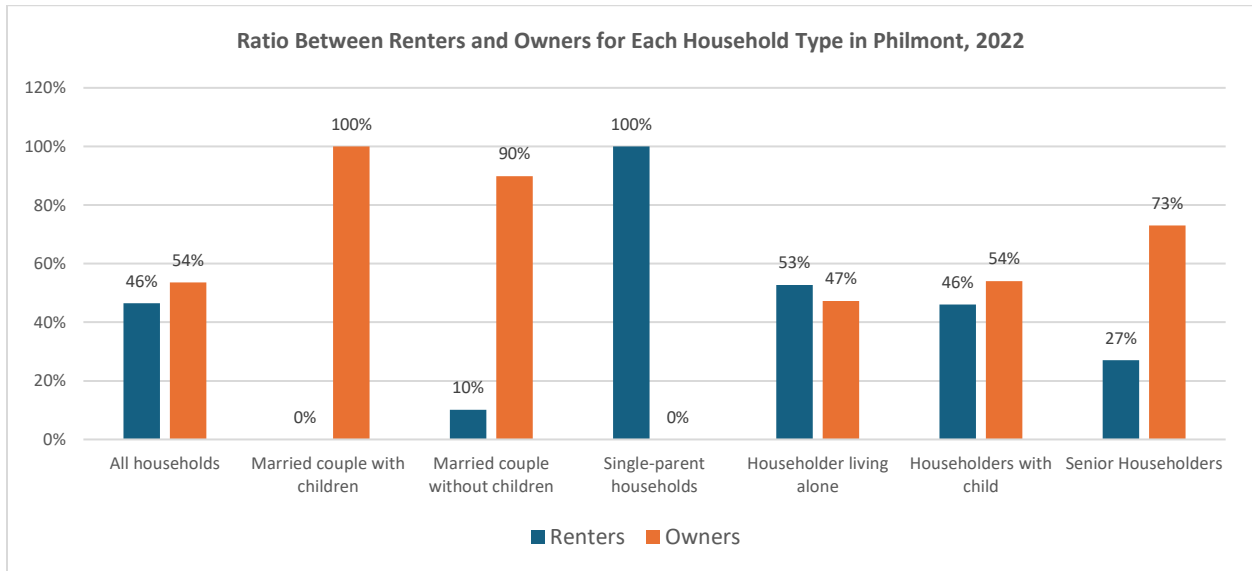
There is a wide variation in household compositions in Philmont. While there is a high share of solo households (36%), almost 1/3<sup>rd</sup> of the Village’s population also has a child present at home. There are several notable differences between Philmont households and all Columbia County households. Married couples, including those with children and those without children, represent 50% of all households in the County and 40% of Village households. Additionally, seniors are present in 40% of County households compared to only 25% of Village households.



Source: American Community Survey

*Housing Composition of Renters Versus Homeowners*

There are striking differences in the ratio between renters and homeowners based upon household type. Overall, 46% of all Philmont households are renters while 54% are owners. But according to American Community Survey data, *all* married couples with children are homeowners while all single-parent householders are renters. Also notable is that senior householders overwhelmingly own their homes, with only 27% of them renting.

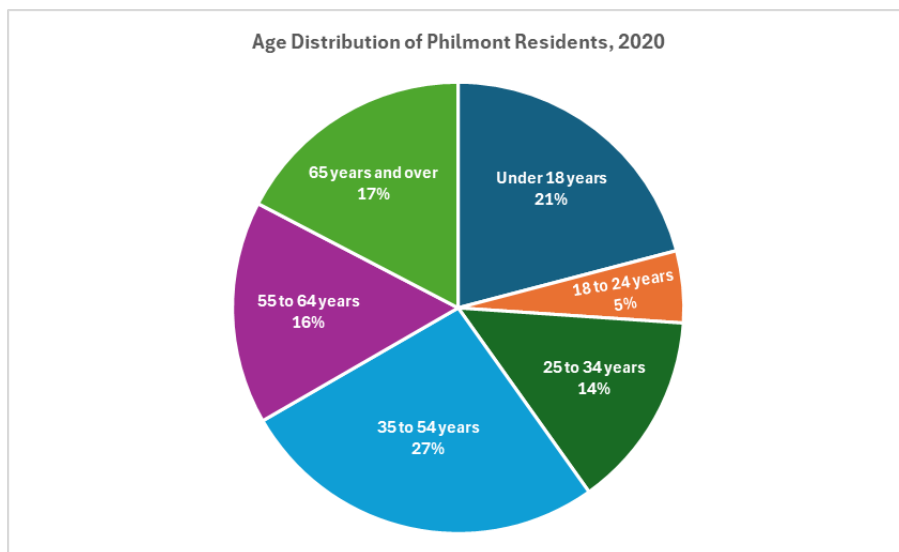


Source: American Community Survey

**Age Distribution**

*Current Distribution of Ages*

One-third of Philmont residents are over the age of 55 while about one-fifth of the population consists of children. The population in their prime working years, ages 25 to 54, represent 41% of the population.



Source: US Decennial Census

*Shifts in Age Composition*

Analysis of decennial data reveals that Philmont’s age composition shifted between 2010 and 2020. Specifically, the representation of young people including children under 18 and residents between the ages of 18 and 24 fell respectively by 13% and 46%. These shifts may indicate a rising challenge for families with children to secure housing.

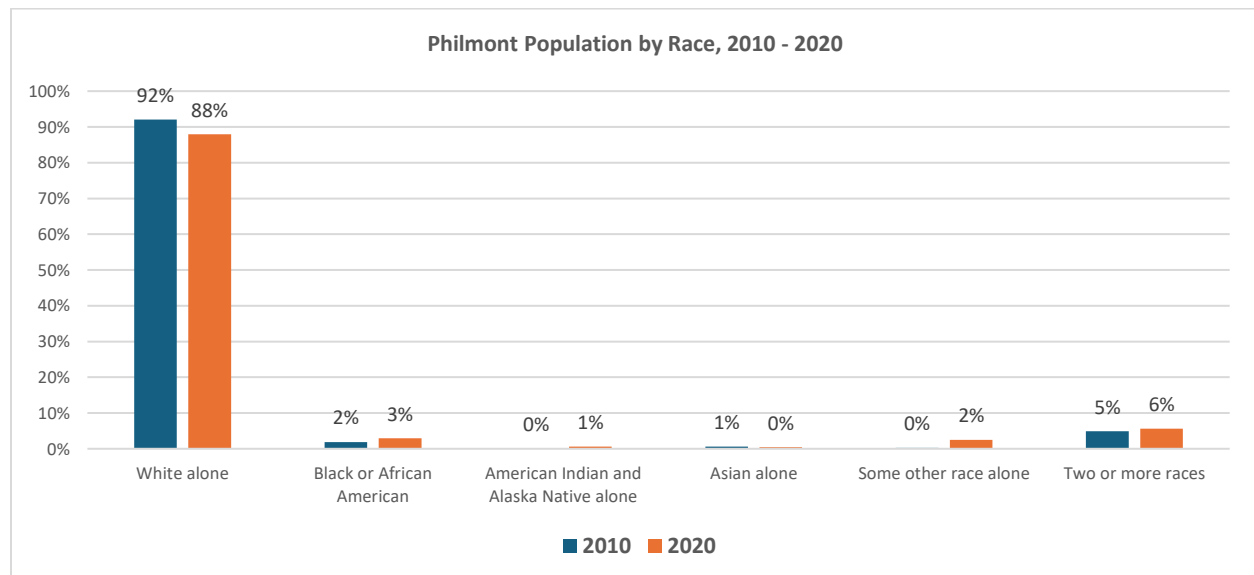
Meanwhile, the population of older residents including those between ages 55 and 64 and seniors aged 65 and over increased respectively by 43% and 25%. Besides increased longevity, these shifts may also suggest not only the desirability of Philmont as a community to age in place but also the potential market for housing that accommodates older residents.

Philmont Population by Age Group, 2012 - 2022				
	2010	2020	Difference, 2010 - 2020 (#)	Difference, 2010 - 2020 (%)
Under 18 years	330	288	-42	-13%
18 to 24 years	131	71	-60	-46%
25 to 34 years	145	194	49	34%
35 to 54 years	428	365	-63	-15%
55 to 64 years	154	220	66	43%
65 years and over	191	239	48	25%
Total Population	1,379	1,377		

Source: US Census American Community Survey

**Racial Composition**

As with Columbia County, the racial composition of Philmont is overwhelmingly White with only very small representations of other racial groups. The homogeneity of the Village’s population did not change between the 2010 and 2020 census. About 4% of the population identifies ethnically as Hispanic.



Source: US Decennial Census



## Income Levels

### Median Household Income Trends

The Village of Philmont’s current median income (\$60,848) is notably lower than that of Columbia County (\$81,741). However, the Village’s rate of growth in income between 2012 and 2022 (53%) is higher than the rate of growth for Columbia County (45%) and higher than that of Hudson (18%). Rising income levels may occur due to increased in-migration of more affluent households as well as higher housing prices that are less affordable to lower-income households.

Median Household Income (Dollars), 2012 - 2022				
	2012	2022	Difference, 2012 - 2022 (#)	Difference, 2012 - 2022 (%)
Village of Philmont	39,821	60,848	21,027	53%
City of Hudson	39,363	46,293	6,930	18%
Columbia County	56,445	81,741	25,296	45%

Source: US Census American Community Survey

### Distribution of Income Levels

Even though Philmont has a median income over \$60K, a sizeable share of its population is considered low-income as measured by earning less than \$50,000 a year, an income equivalent to 61% of Columbia County’s area median income. More than a third (37%) of all Village households, nearly 1/5<sup>th</sup> of homeowners (19%), and 61% of renter households make less than \$50,000.

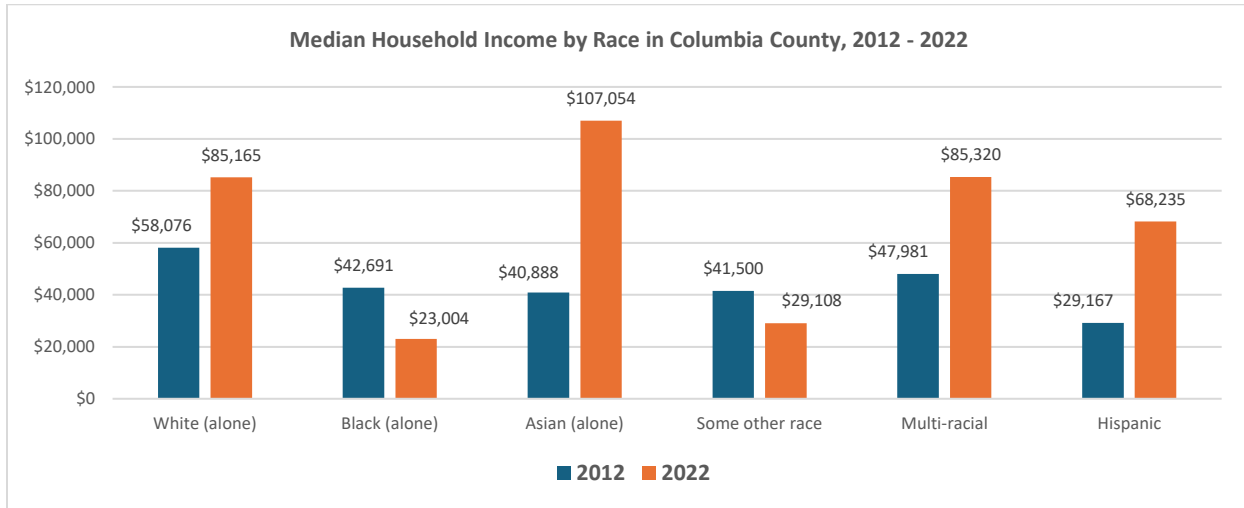
Distribution of Household Median Income in Philmont, 2022						
	All Households		Owner Households		Renting Households	
	#	%	#	%	#	%
Less than \$20,000	95	17	11	3	84	36
\$20,000 to \$34,999	85	15	51	16	34	15
\$35,000 to \$49,999	25	5	0	0	25	11
\$50,000 to \$74,999	132	24	77	24	55	24
\$75,000 to \$99,999	71	13	56	17	15	6
\$100,000 to \$149,999	109	20	89	27	20	9
\$150,000 or more	42	8	42	13	0	0
Less than \$35,000 (43% AMI)	180	32	62	19	118	51
Less than \$50,000 (61% AMI)	205	37	62	19	143	61
Less than \$75,000 (92% AMI)	337	60	139	43	198	85

Source: US Census American Community Survey

### Racial Distribution of Income Levels

Due to the fewness of non-White residents in the Village, it is not possible to meaningfully analyze income disparities by race within Philmont. However, due to its larger geographic scale and population size, it is possible

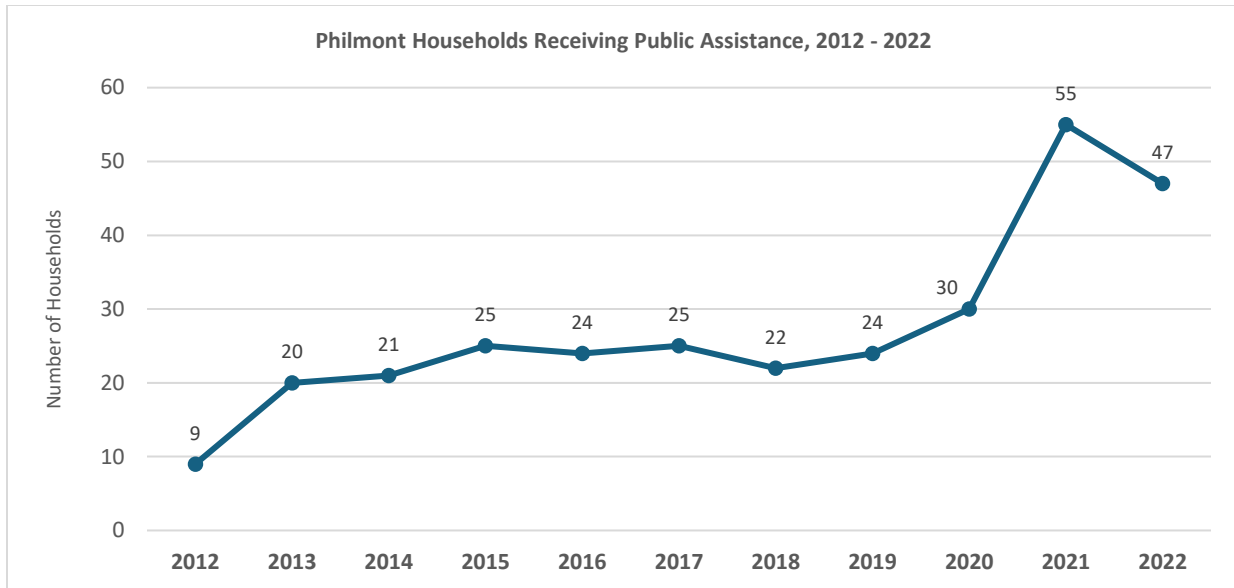
to assess income disparities at the County level. American Community Survey data indicates that Black residents of Columbia County have a median income of \$23,000, a level of earning that is about ¼ of the County’s median income and significantly lower than other racial groups. A low level of income in turn makes it difficult for a household to afford housing on the open market, especially in a period in which sales and rental prices are rising not only in Philmont but throughout the County.



Source: US Census American Community Survey

## Public Assistance

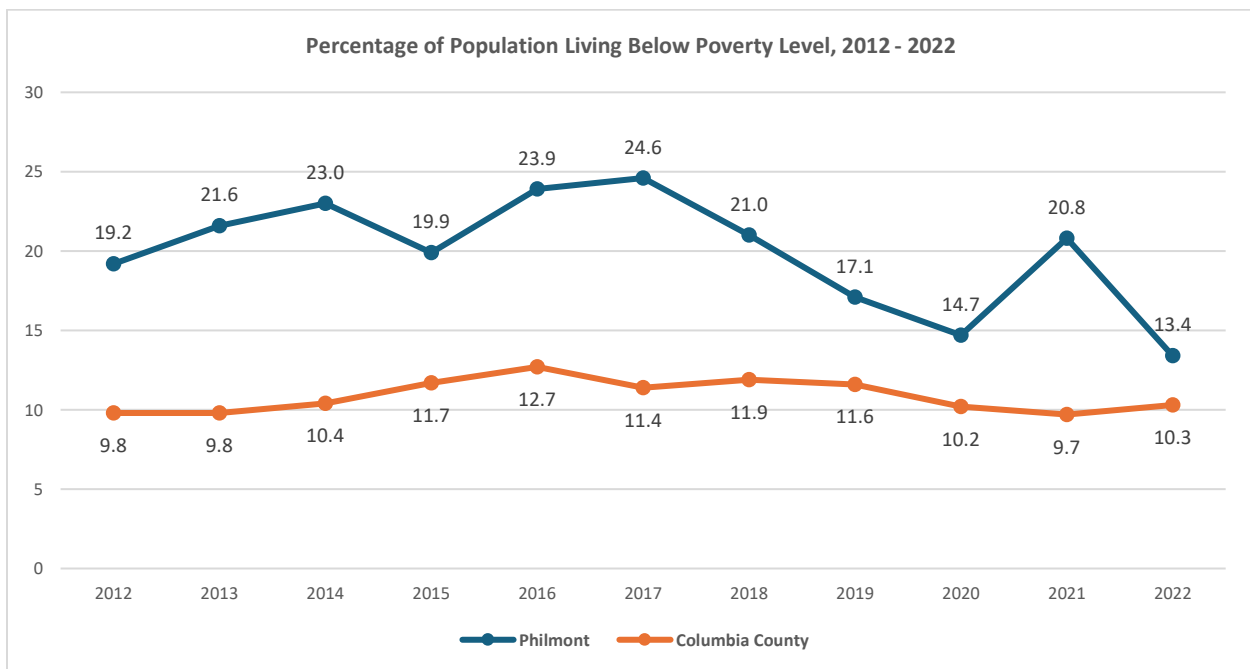
Based upon American Community Survey data, the number of Philmont residents receiving some form of public assistance has risen from 9 individuals in 2012 to 47 individuals in 2022. Public assistance includes Social Security payments, Unemployment Compensation, VA Benefits, and other benefits (e.g., TANF, SNAP) to low-income families or individuals. The census estimates will be compared with other data from the Columbia County Department of Human Services to ensure an accurate counting of public assistance beneficiaries living in the Village.



Source: US Census American Community Survey

### Poverty Levels

As would be expected with rising income levels, the percentage of Philmont’s population living below the federal poverty line has fallen from a high of 24.6% in 2017 to 13.4% in 2022. The spike in poverty in 2021 (20.8%) is attributable to the economic hardships that occurred during the Covid-19 pandemic.



Source: US Census American Community Survey

## HOUSING INVENTORY

### Housing Supply

#### *Residential Buildings*

There are 428 parcels within the Village on which there is at least one residential unit. Of these 428 parcels, the majority (295) of them are single family homes and consume 75 of the Village’s 787 acres.

Number of Buildings in Philmont with Housing Units in Each Property Class		
Property Class Code	Description	Number of Buildings
210	Single Family Home	295
220	Two Family Home	64
230	Three Family Home	14
270/1	Mobile Home Lot (can include more than 1 mobile home)	15
280/1	Residential Lot with Multiple Buildings (including accessory units)	7
240	Rural Residence	2
260	Seasonal Residences	1
411	Apartment Building	24
482	Downtown Row Building (Detached)	6
	Mixed Use Buildings	NA
	Total	428

Source: Columbia County Assessor

#### *Shifts in Unit Counts*

According to the US Census American Community Survey, the total housing supply in Philmont increased by 9%, from 638 units in 2012 to 698 units in 2022. While this change does not necessarily constitute a significant expansion of supply, this increase is greater than the increases reported for the City of Hudson and in Columbia County, where housing supply grew by 7% and 2%, respectively, over the same period.

The changes in housing supply, as documented in American Community Survey data, do not necessarily reflect the production or elimination of residential buildings. The reported shifts may instead reflect the subdivision of an existing home into multiple units or the addition of an accessory unit on the same lot as an existing home. Lastly, housing counts may not be accurate either due to incorrect reporting or statistical errors due to the margin of error from small sample sizes.

In the case of Philmont, decennial housing data reveals that the number of housing units in the Village was 654 units in 2012 and 675 units in 2022. These decennial counts, which are based on a complete inventory and not just a sample, are similar to those reported in the American Community Survey. As such, it does not appear that the American Community Survey data is notably distorted by statistical errors.

**Philmont Housing Study – Working Draft November 4<sup>th</sup>, 20224**

Total Housing Supply, 2012 – 2022				
	2012	2022	Difference, 2012 - 2022 (#)	Difference, 2012 - 2022 (%)
Philmont	638	698	60	9%
City of Hudson	3,195	3,408	213	7%
Columbia County	32,710	33,292	582	2%

Source: US Census American Community Survey

## Housing Density

A little more than half (54%) of the housing supply in Philmont consists of single-family homes, compared to 38% of Hudson homes and 75% of Columbia County homes.

About a third (32%) of Philmont homes are small multi-family buildings with 2-4 units, compared to 42% of Hudson homes and 11% of Columbia County homes.

Only 12% of the Village’s homes are larger multi-family homes with 5 or more units, compared to 19% of Hudson homes and 6% of Columbia County homes.

Housing Supply by Density of Building, 2022						
Type of Building	Philmont		City of Hudson		Columbia County	
	Units (#)	Units (%)	Units (#)	Units (%)	Units (#)	Units (%)
1-unit, detached	358	51%	933	27%	24,221	73%
1-unit, attached	24	3%	389	11%	773	2%
2 units	140	20%	720	21%	2,066	6%
3 or 4 units	82	12%	709	21%	1,794	5%
5 to 9 units	31	4%	338	10%	658	2%
10 to 19 units	0	0%	83	2%	232	1%
20 or more units	50	7%	236	7%	991	3%
Mobile home or other type of housing	13	2%	0	0%	2,557	8%
Total housing units	698		3,408		33,292	
Single Family Homes (Detached or Attached)	382	55%	1322	39%	24994	75%
Multi-Family Homes With 5 or more Units	81	12%	657	19%	1881	6%

Source: US Census American Community Survey

## Types of Housing Units

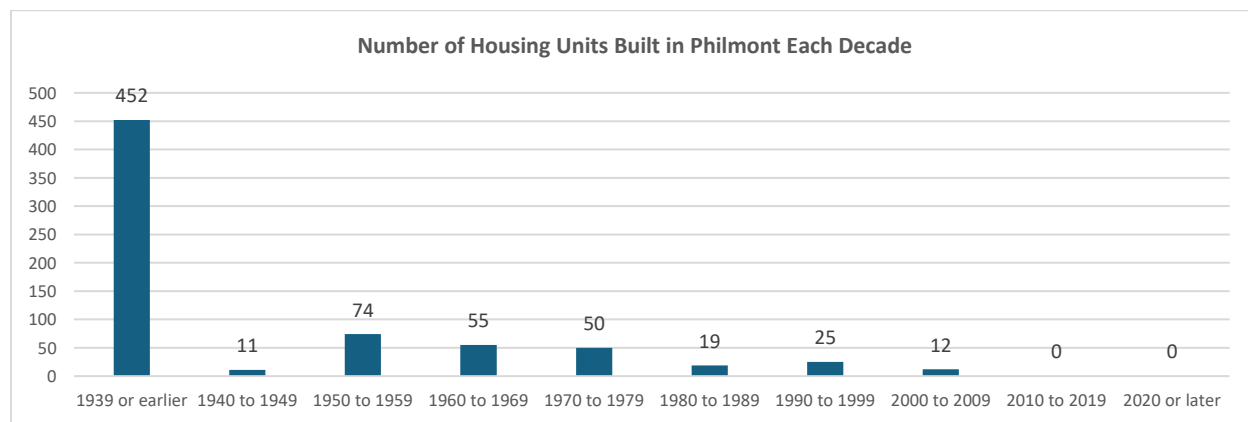
As is the case with Hudson and Columbia County, the vast majority (85%) of Philmont’s housing inventory consists of homes with at least two bedrooms. Just over 100 of the Village’s 698 units are studio or 1-bedroom apartments.

Housing Supply by Number of Bedrooms, 2022						
Rooms in Building	Philmont		City of Hudson		Columbia County	
	Units (#)	Units (%)	Units (#)	Units (%)	Units (#)	Units (%)
Studio Apartment	19	3%	60	2%	649	2%
1 bedroom	84	12%	630	18%	3,071	9%
2 bedrooms	193	28%	1,271	37%	8,692	26%
3 bedrooms	219	31%	899	26%	13,691	41%
4 bedrooms	153	22%	489	14%	5,495	17%
5 or more bedrooms	30	4%	59	2%	1,694	5%
Total housing units	698		3,408		33,292	

Source: US Census American Community Survey

## New Construction

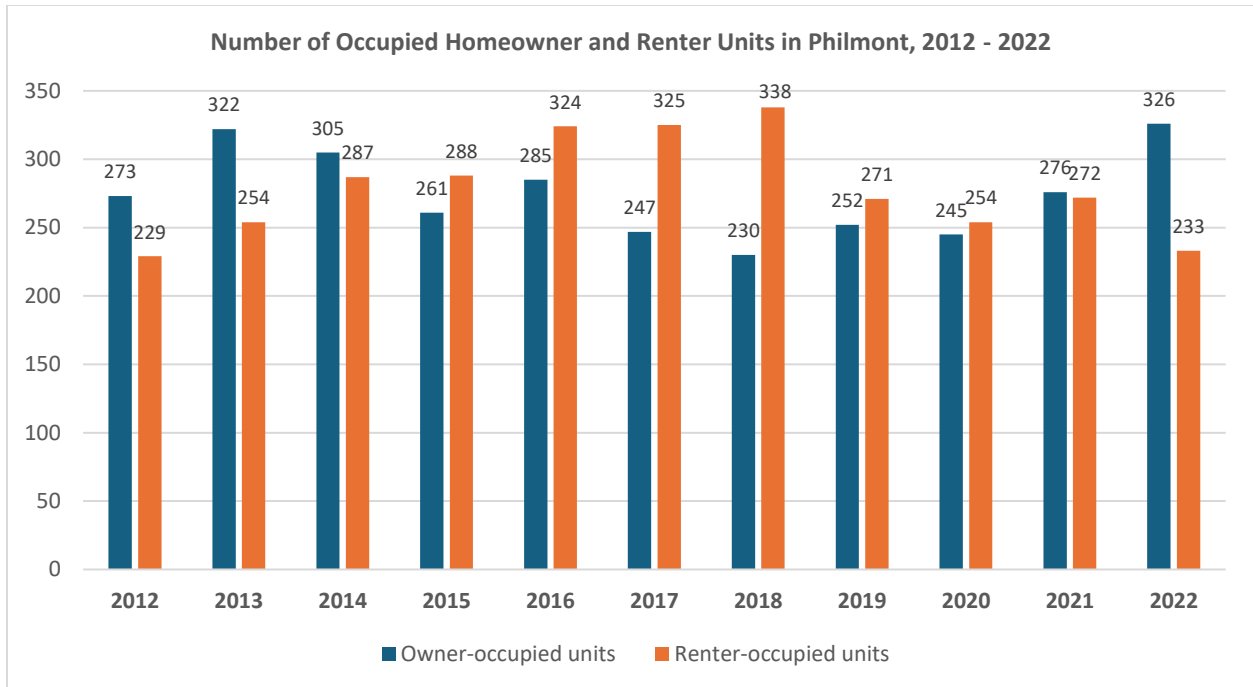
Over the last two years, there has been no new construction of housing within the Village. Of the 698 housing units in the Village, 452 (or 65%) of them were built before 1940. The lack of new construction serves to explain the relative stability of the Village’s population size over the last ten years. Without new construction, population growth is not possible. The old age of the Village’s housing supply introduces housing condition issues that will be addressed in the next section of the assessment.



Source: US Census American Community Survey

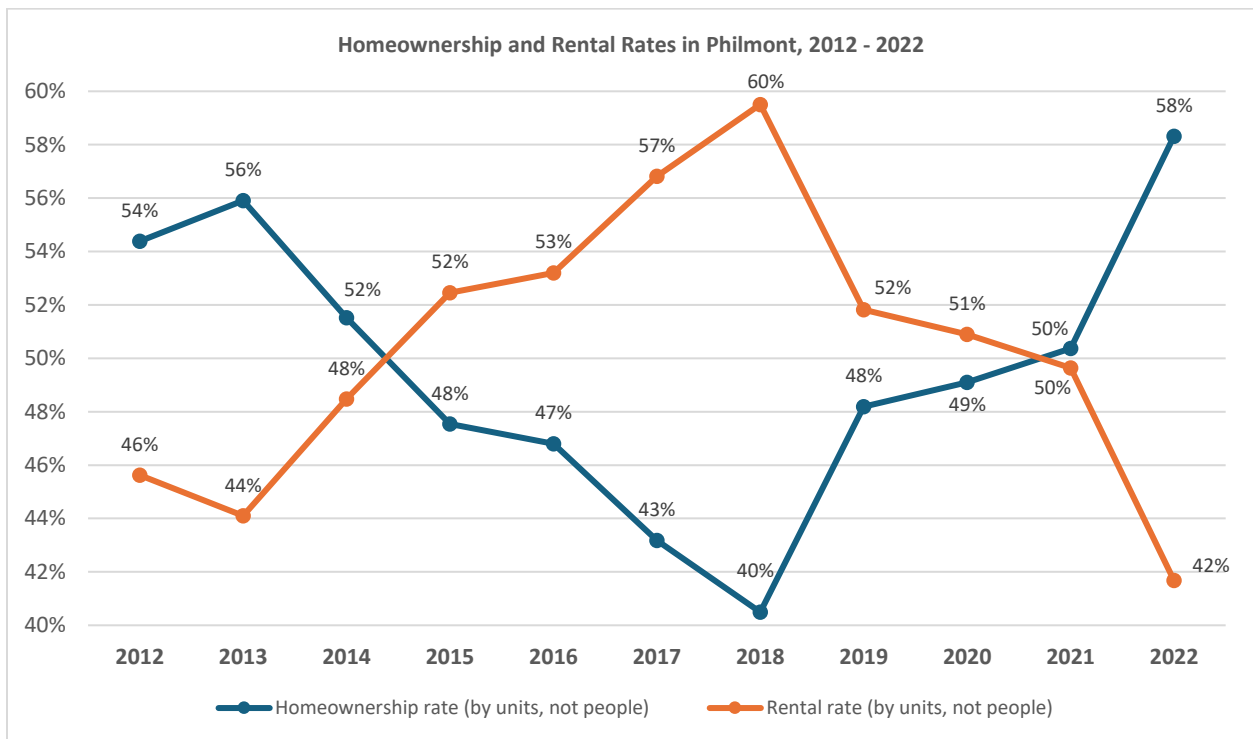
## Housing Tenure

Between 2012 and 2022, the number of rental units in Philmont slightly increased from 229 units to 233 units while ownership units increased from 273 units to 326 units. However, as noted further below in the line graphs on rental and ownership rates, there was a great deal of year-to-year change in land tenure during this ten-year period. Some of this change may be attributable to actual alterations in the way in which the Village’s housing inventory was occupied, while statistical errors may also have impacted the housing counts.



Source: US Census American Community Survey

As shown in the line graph below, homeownership rates plunged from 2013 to 2018, but then began in 2018 to climb upward again, continuing to rise during the pandemic.



Source: US Census American Community Survey

## Short-Term Rental Apartments

During the month of July 2024, there were a total of 14 housing units that were advertised as short-term or vacation rentals on Airbnb. A large share of these units are located along Main Street. Prices ranged from \$58/night for a room to \$2250/night for an 8-bedroom home.

Airbnb Rentals Listed in Philmont in July 2024				
Type of Arrangement	Bedrooms	Nightly Fee	Street (approx.)	URL
Room	1	\$ 58	7 Maple Ave	<a href="#">Link</a>
Full home (tiny home)	1	\$ 108	Summit St.	<a href="#">Link</a>
Apartment	3	\$ 145	Prospect St.	<a href="#">Link</a>
Apartment	1	\$ 160	Main St.	<a href="#">Link</a>
Room	1	\$ 74	Summit St.	<a href="#">Link</a>
Apartment	2	\$ 170	Main St.	<a href="#">Link</a>
Room	1	\$ 65	Summit St.	<a href="#">Link</a>
Apartment	2	\$ 198	Main St.	<a href="#">Link</a>
Apartment	2	\$ 196	Ark St.	<a href="#">Link</a>
Full home	3	\$ 445	Unclear	<a href="#">Link</a>
Full home	8	\$ 2,250	Main St.	<a href="#">Link</a>
Apartment	2	\$ 275	Main St.	<a href="#">Link</a>
Room	1	\$ 62	7 Maple Ave	<a href="#">Link</a>
Full home	4	\$ 158	Unclear	<a href="#">Link</a>

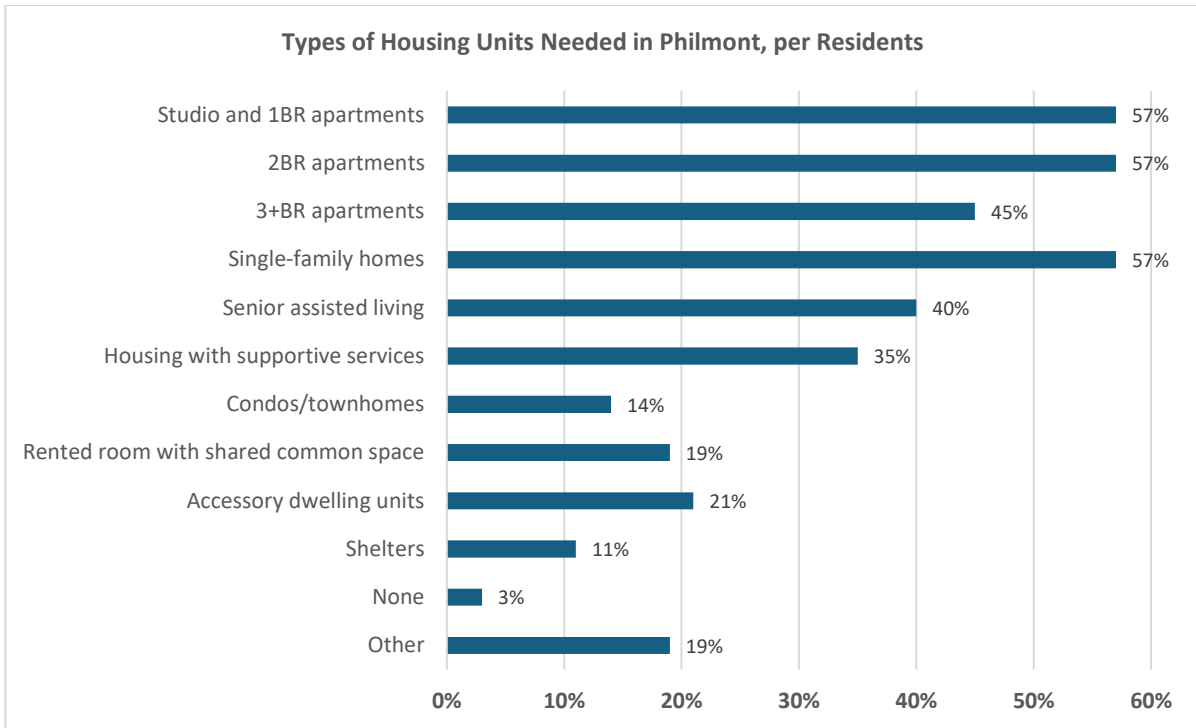
Source: Airbnb

## Desired Housing Inventory

### *Types of Housing Units Needed*

The 2024 Philmont Housing Survey asked residents whether or not housing was needed in the Village and what kinds of housing units were most needed. Only 3% of respondents said that no additional housing was needed in the Village. The most commonly requested kinds of housing were studio and 1BR apartments, 2BR apartments, and single family homes.

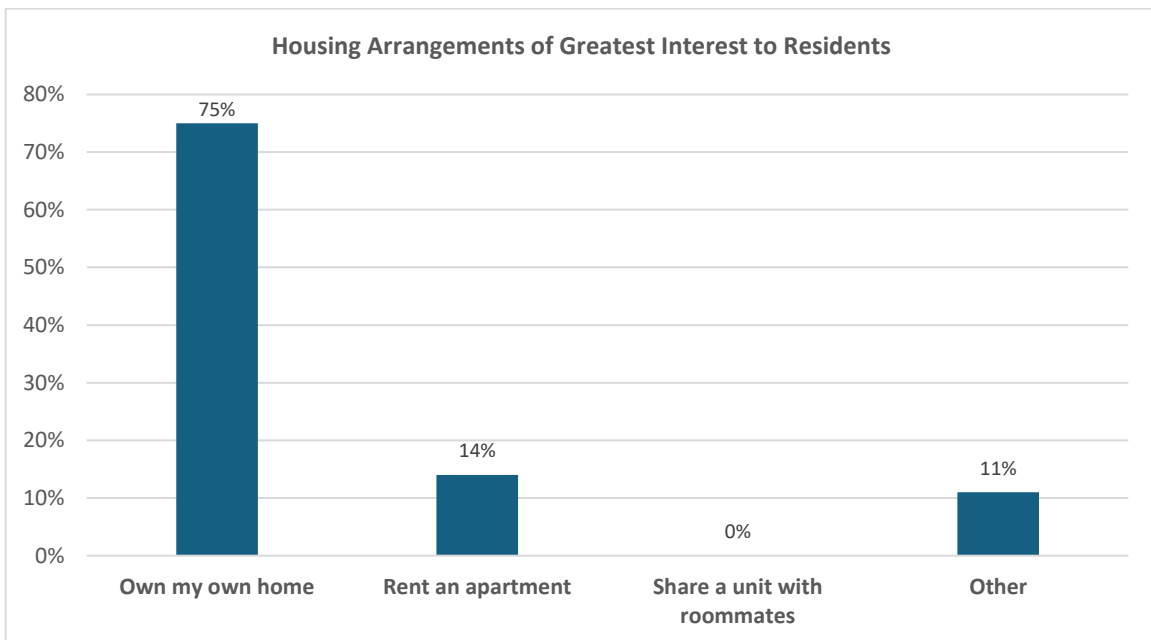




Source: 2024 Philmont Housing Survey

### Housing Tenure Preferences

The survey also asked residents about their optimal housing arrangements. The overwhelming majority of respondents (75%) prefer to be homeowners while only 14% of respondents expressed a desire to rent.



Source: 2024 Philmont Housing Survey

*Visual Preference Survey*

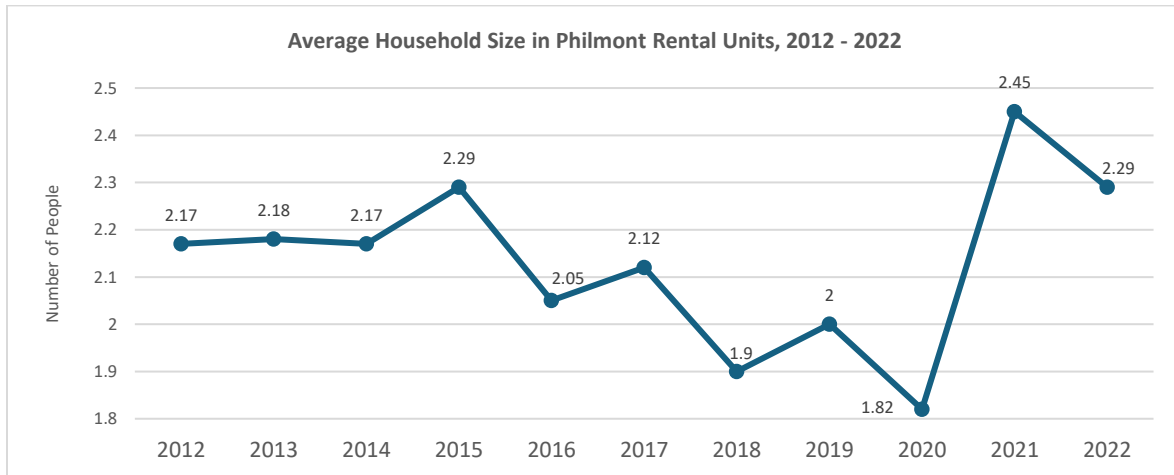
In addition to the housing survey, a visual preference survey was conducted to gauge the level of community interest in different types of residential buildings. Unlike the housing needs survey, very few residents participated in the visual preference survey. Presented below is the number of votes residents gave to each kind of residential building.

- Detached Single Family - 11
- Single Family Townhomes - 8
- Small Multi-family houses - 13
- Mixed-use Apartment Building - 11
- Accessory Apartments - 11
- Apartment Complexes – 6

## HOUSING CONDITIONS

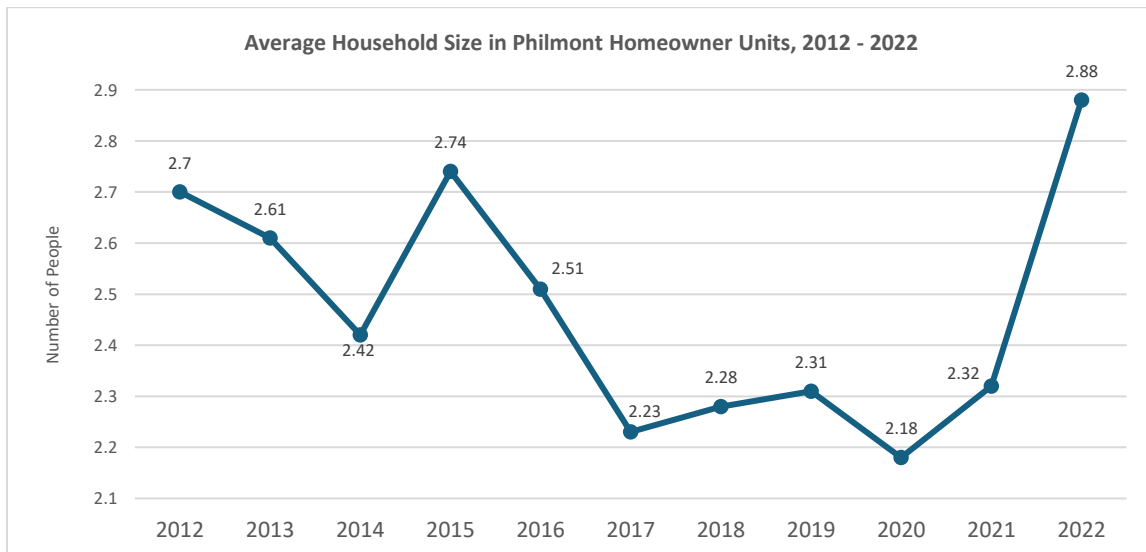
### Household Size

Between 2012 and 2020, the household size for rental units fell from 2.17 to 1.82. This decline is likely attributable to the increasing number of renters living alone. The sharp rise in household size in 2021 is harder to explain. It is possible that larger families replaced solo residents during the pandemic. It is also possible, however, that the participants in the American Community Survey during the pandemic were disproportionately larger households.



Source: US Census American Community Survey

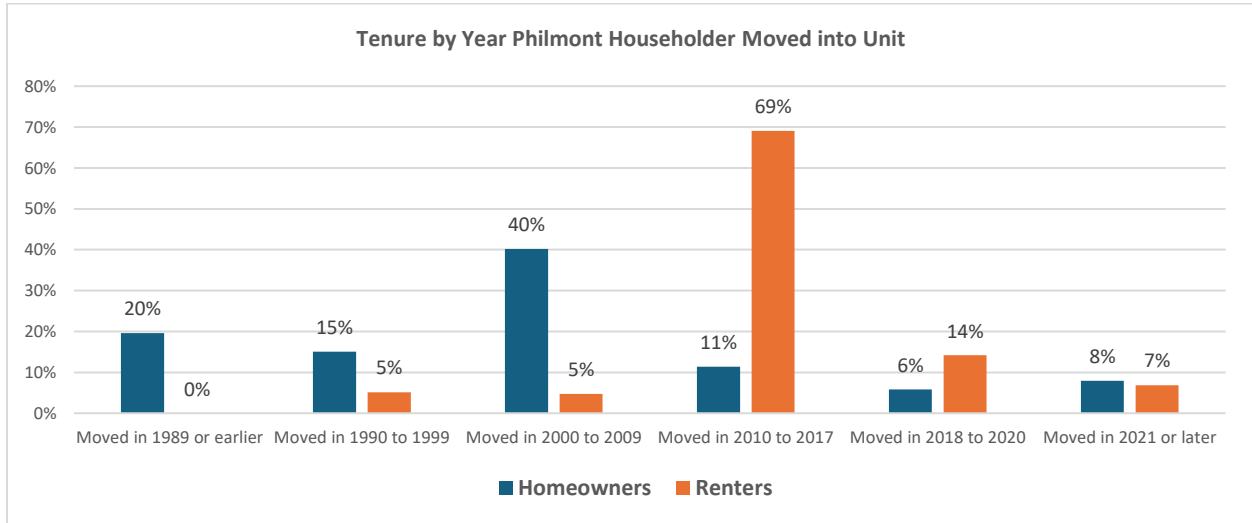
Between 2012 and 2020, the household size for homeowner units fell from 2.7 to 2.18. This decline could be attributable to the increasing number of “empty nesters,” older residents whose children matured and left the home. As with renters, the reason behind the sharp increase in household during the pandemic is difficult to discern and could point to either household changes or statistical errors.



Source: US Census American Community Survey

## Time of Occupancy

The time in which residents came to occupy their housing unit is different for renters and homeowners. Seventy-five percent of homeowners moved into their home before 2010. Conversely, 90% of renters moved into their home from 2010 onward and a fifth of renters moved in from 2018 onward.



Source: US Census American Community Survey

## Vacant Units

Data on the housing occupancy is collected through the American Community Survey. Unfortunately, the accuracy of this data is compromised by very high margins of errors. The most recently available data suggests very high levels of vacancy for Philmont (20%); Hudson (25%); and Columbia County (24%).

Percentage of Units Vacant, 2012 - 2022						
	Philmont		City of Hudson		Columbia County	
	2012	2022	2012	2022	2012	2022
Total housing units	638	698	3,195	3,408	32,710	33,292
Total vacant units	136	139	572	840	7,234	7,992
Vacancy rate	21%	20%	18%	25%	22%	24%

Source: US Census American Community Survey

The Village of Philmont’s building inspector maintains a vacant property registry. According to this registry, there are ten long-term vacant housing units in the Village: 6 Eagle Street; 56 Main Street; 28 Church Street.; 27 Elm Street.; 49A Summit Street; 27 Summit Street.; 4 Ellsworth Street; 8 Ellsworth Street; 137 Main Street; 144 Main Street.

There are likely many more vacant units in the Village that are not identified within the registry. These units include units that may be on the market for sale or rental. However, there are currently less than 12 units in Philmont that are listed as available for rent or sale. An unknown number of units may be vacant due to ongoing

renovations or held empty as investment properties. Other units may be vacant in the sense that they are seasonal units or available only for short-term rentals. Currently, there are 13 properties in Philmont that are advertised as Airbnb. American Community Survey indicates that as many as 4,310 units in Columbia County were vacation properties or short-term rentals in 2022.

## Building Violations and Condemnations

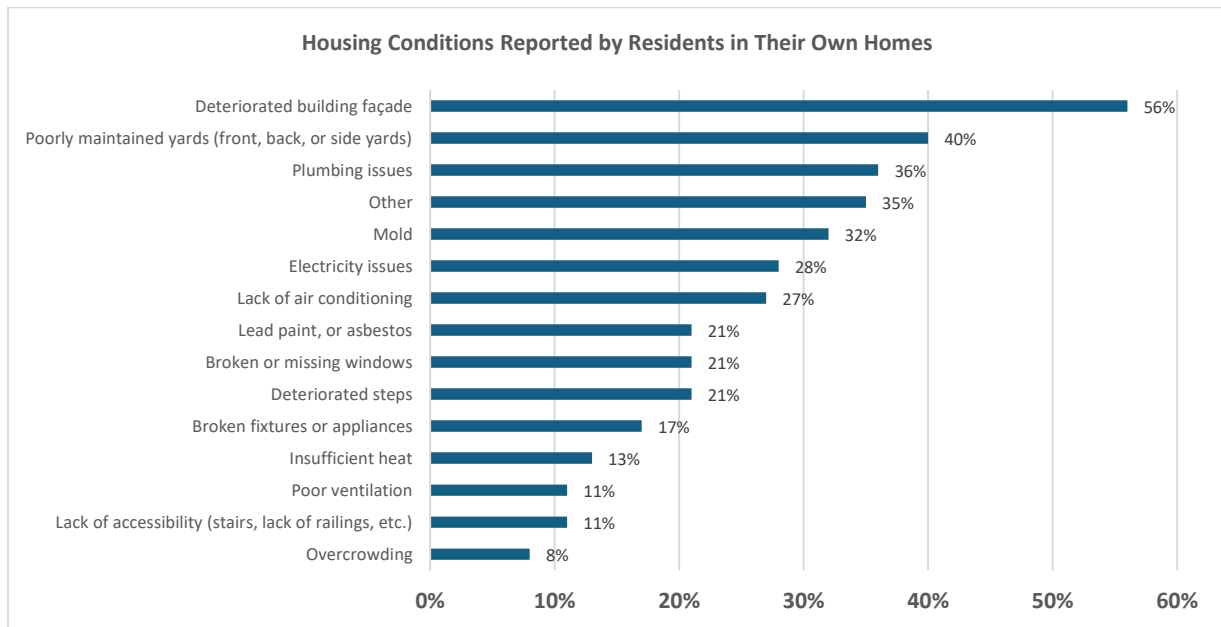
The Village conducts inspections as part of its rental registry program. In many cases, building violations are not documented and instead addressed immediately and informally by the Village Building Inspector in order to expedite their resolution. Based upon records from the Building Inspector, it appears that all properties ultimately pass their inspections. Only a handful of properties have been listed as condemned due to poor building conditions: 6 Eagle Street; 28 Church Street; 49A Summit Street; 4 Ellsworth Street; and 137 Main Street. Buildings which are vacant and in violation but not condemned include: 56 Main Street; 27 Elm Street; 27 Summit Street; and 8 Ellsworth Street.

## Tax Delinquencies

For both the Town of Claverack and Columbia County as well as the Village of Philmont, there are just over 50 parcels that are delinquent in their payment of taxes. As of July, 2024, the total amount of unpaid taxes from delinquent Philmont parcels is about \$112,000 for the Town and County and \$87,000 for the Village.

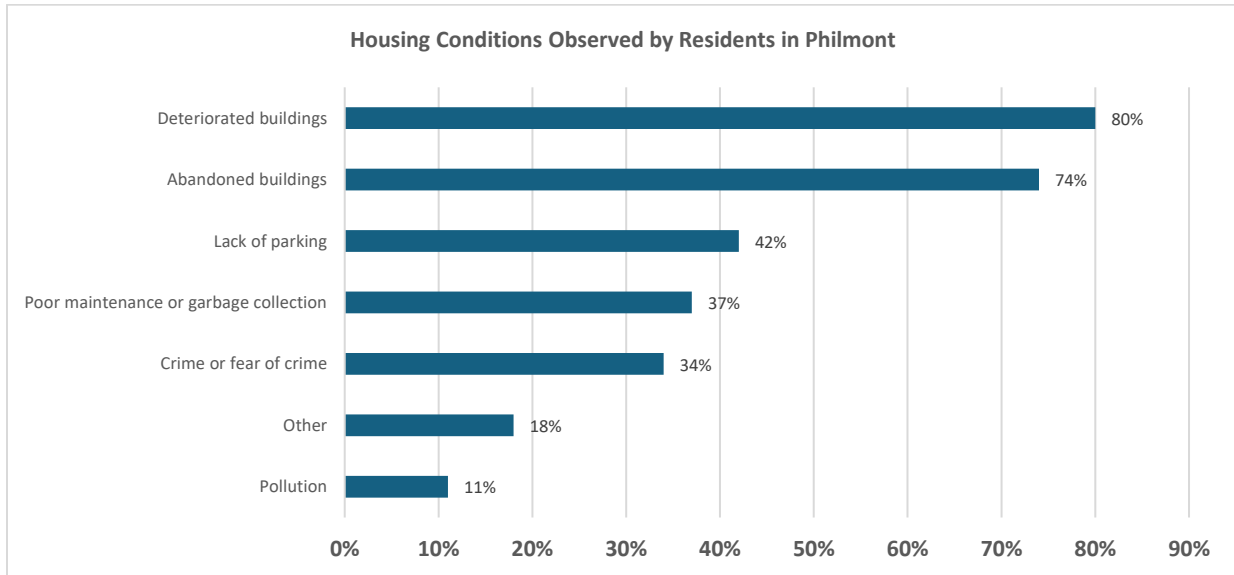
## Resident Experiences of Housing Conditions

The housing needs survey asked residents about the shortcomings in housing conditions they experienced in their own buildings or that they observed in the Village. Within their own homes, the three most reported housing condition issues were deteriorated building facades (56%); poorly maintained yards (40%); and plumbing issues (36%).



Source: 2024 Village of Philmont Housing Survey

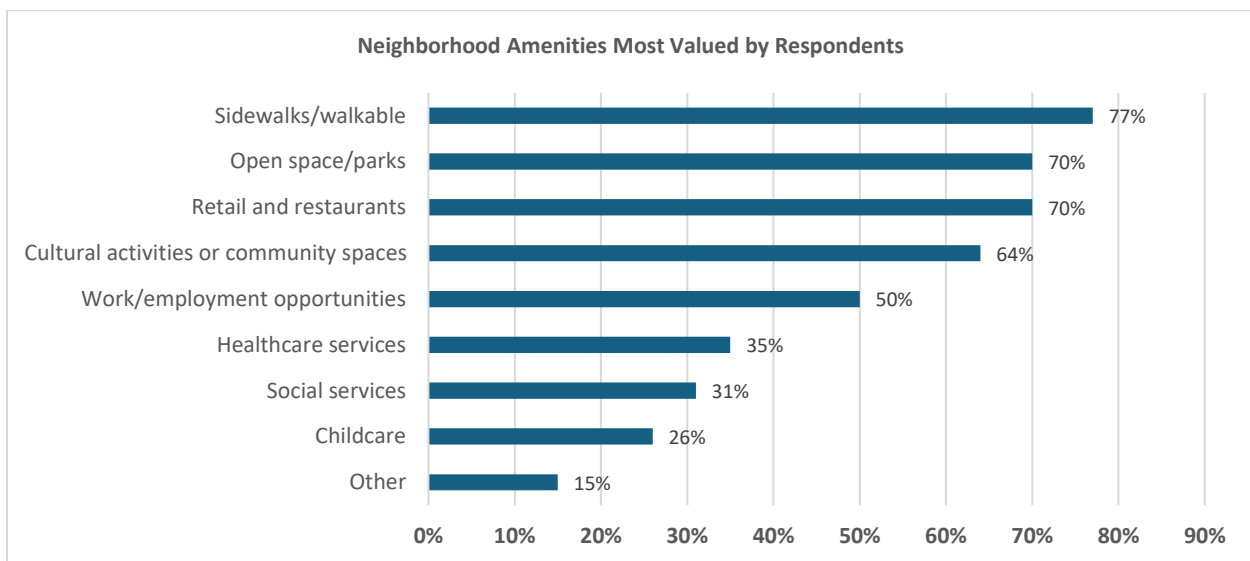
As far as Village-wide issues, the three most reported issues were deteriorated buildings (80%); abandoned buildings (74%); and lack of parking (42%). Among the 18% of residents who answered “other,” some reported drug usage, excessive vehicular noise, and a lack of services for renters, while others specified that they had observed none of the listed issues.



Source: 2024 Village of Philmont Housing Survey

### Neighborhood Amenities

Asked what amenities they most valued in a neighborhood, Philmont residents most frequently cited well-kept sidewalks and general walkability, parks and open spaces, and retail and restaurants. 15% of respondents included “other” in their answers, and listed amenities including dog parks, banks, and grocery stores.



Source: US Census American Community Survey

## Housing Barriers & Challenges

The 2024 Philmont Housing Survey asked residents to identify any barriers or challenges they had faced in their search for housing. Many residents answered “none,” or “not applicable,” though some attributed this ease to having bought their homes decades ago, in a different and less expensive housing landscape. One respondent merely said they “got lucky.” Specific barriers and challenges cited by residents include:

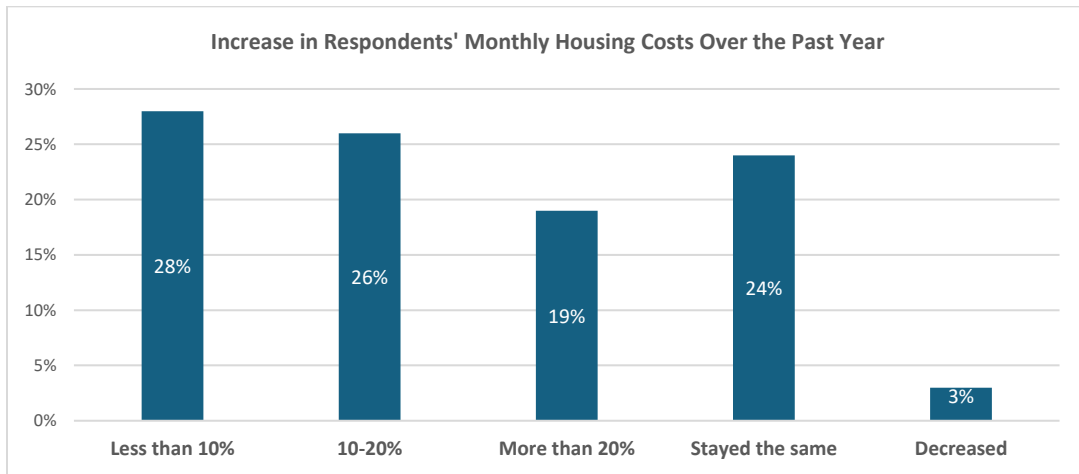
- Limited housing inventory;
- Prices are rising and not aligned with income levels. Listings seem sometimes primed to attract buyers from other, wealthier municipalities;
- Distrust of landlord due to dilapidated or poorly maintained rental units that nevertheless have high asking prices;
- Drug usage;
- Village’s high water and sewage tax;
- Lack of affordable housing.

## HOUSING AFFORDABILITY

### Housing Costs

#### Resident Experience of Housing Costs

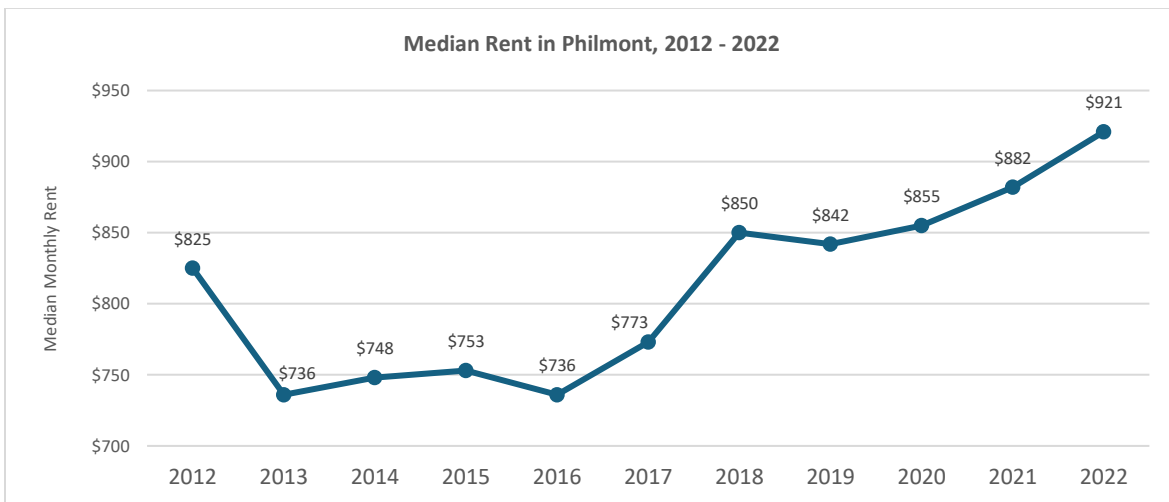
As part of the Philmont Housing Survey, residents were asked about the changes in their monthly housing costs over the last year. The data from this question is especially important since the most recently available census data on housing costs is 2022. Most survey respondents (73%) reported that their monthly housing costs increased over the past 12 months. Almost 20% of respondents indicated that their housing costs had increased by more than 20%.



Source: 2024 Village of Philmont Housing Survey

#### Rental Costs

Between 2012 and 2016, the median monthly rent in Philmont declined from \$825 to \$736. But between 2016 and 2022, the trajectory changed and median rent for Philmont residents increased 19% from \$736 to \$921.

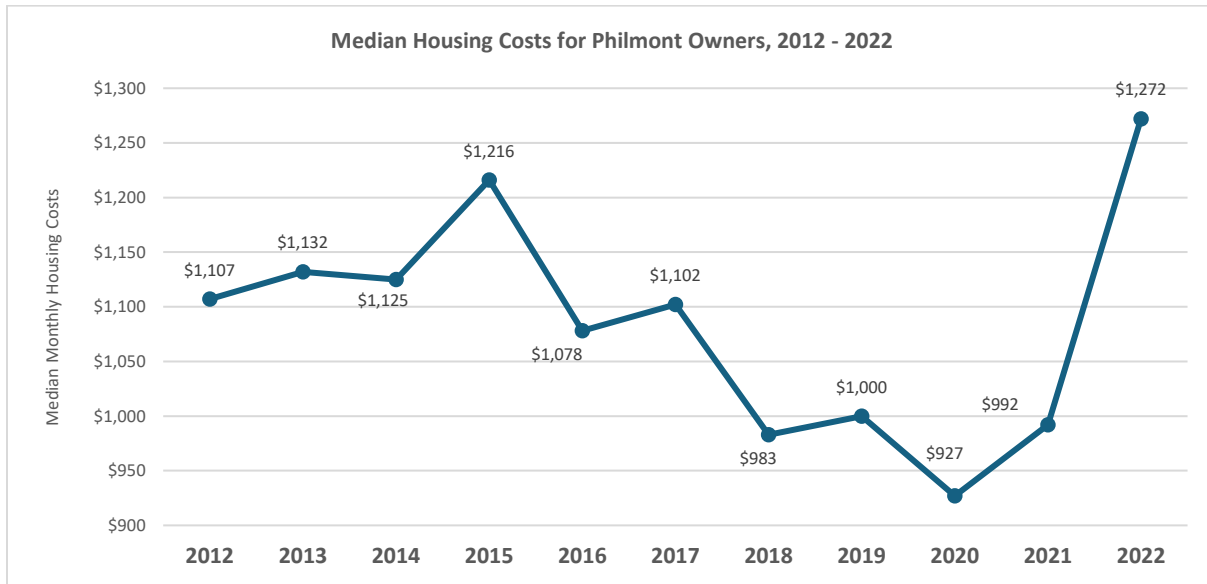


Source: US Census American Community Survey Data



*Ownership Costs*

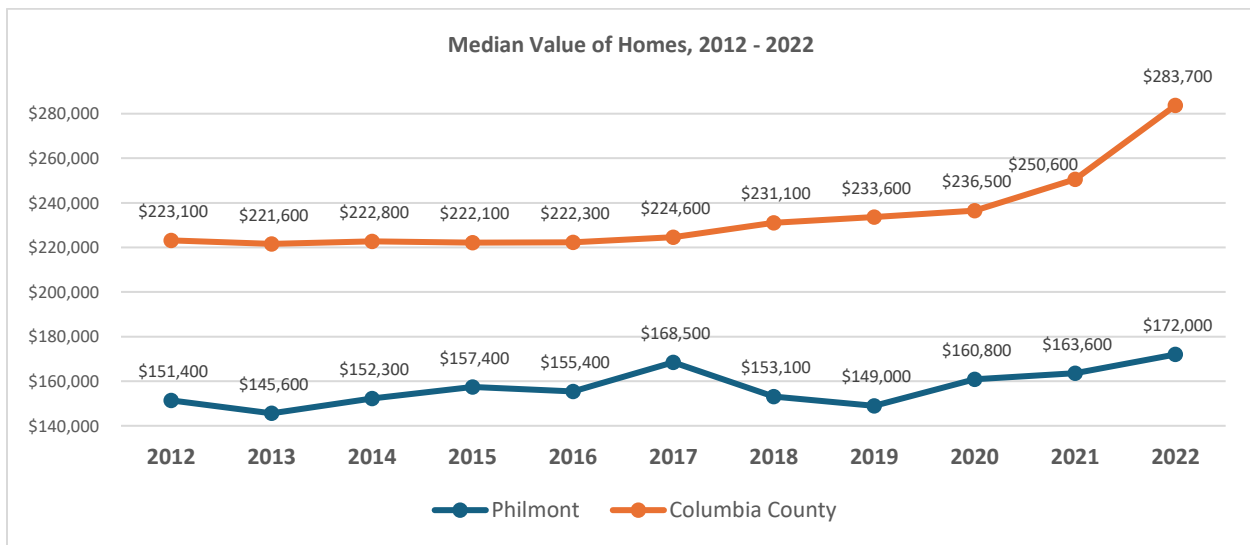
Between 2012 and 2020, the median monthly housing cost for homeowners fell from \$1,107 to \$927. This decline could be attributable to homeowners staying in their homes after paying off their mortgages. But monthly costs for owners grew from \$927 in 2020 to \$1,272 in 2022, a shift that could be indicative of increased sales prices as a result of higher demand for single family homes during the pandemic.



Source: US Census American Community Survey

*Home Values*

For most of the period between 2012 and 2020, the median value of homes in the Village as well as Columbia County remained broadly stable. However, values in both the Village and the County began to rise more significantly after 2019, reaching a peak in 2022 of \$172,000 in Philmont and \$283,700 in Columbia County.



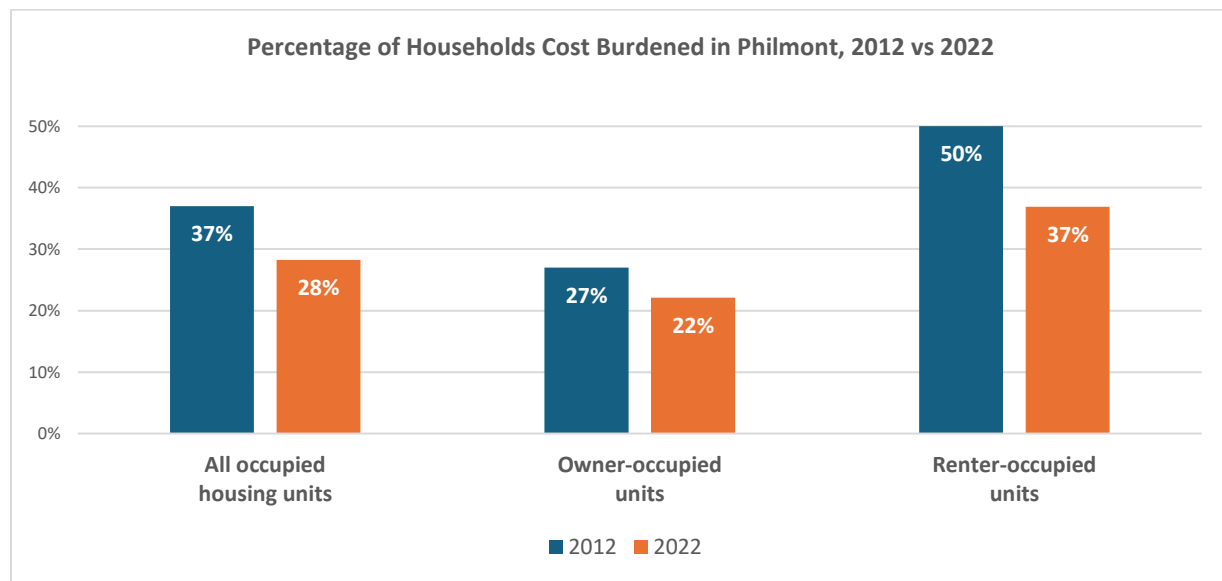
Source: US Census American Community Survey

## Housing Cost Burden

### *Shifts in Cost Burden from 2012 to 2022*

A cost-burdened household is one that spends more than 30% of their household income on housing costs. Between 2012 and 2022, the share of Philmont residents who were housing cost-burdened fell from 37% to 28% for all households; from 27% to 22% for homeowners; and from 50% to 37% for renters. These reductions in cost burden occurred even as rental and sales prices increased in the Village. There are several potential explanations for this reduction:

- Median household income levels of residents in Philmont rose between 2012 and 2022, resulting in a more affluent population that is less cost-burdened.
- The distribution of income changed; between 2012 and 2022, there came to be a lower share of low-income households and a higher representation of affluent households.
- Poverty levels fell either because (a) people were forced out of Philmont as low rent apartments vanished or (b) incomes for low-income households increased.
- Housing costs including median rents and ownership costs may have increased but income levels of Philmont residents increased more, reflecting either a change in the population or upward mobility or both.
- Due to stricter lending requirements, only more affluent households were able to secure mortgages and purchase homes.
- Home sales prices increased but not to the level that increased cost burden levels.
- Renters received rental assistance during the pandemic, thereby reducing the incidence of cost burden.



Source: US Census American Community Survey

### *Comparison of Cost Burden Levels Within Different Income Classes*

In general, housing cost burden levels are higher for lower-income households. Amongst households annually earning between \$20,000 and \$35,000, more than half of the homeowners and all of the renters are housing

cost-burdened. Conversely, for households annually earning more than \$75,000 a year, 16% of homeowners and 0% of renters are cost-burdened.

Percentage of Cost-Burdened Philmont Households by Income Level, 2022						
	All Occupied Units		Owner-Occupied Units		Renter-Occupied Units	
<b>Income Band</b>	559		326		233	
Below 24% AMI [Less than \$20,000]	42	47%	3	27%	39	49%
24% AMI - 43% AMI [\$20,000 to \$34,999]	61	72%	27	53%	34	100%
44% AMI - 61% AMI [\$35,000 to \$49,999]	13	52%	0	0%	13	52%
62% AMI - 92% AMI [\$50,000 to \$74,999]	12	9%	12	16%	0	0%
Over 92% AMI [\$75,000 or more]	30	14%	30	16%	0	0%
Total cost-burdened units	158		72		86	
Percentage of all units cost-burdened (2022)	28%		22%		37%	

Source: US Census American Community Survey

*Share of Total Cost-Burdened Households by Owners versus Renters*

The above analysis showed the level of cost burden within different income classes. The table below shows how owners and renters of different income classes contribute to the total universe of 158 cost-burdened households in Philmont in 2022. The table below shows that 46% of the 158 cost-burdened households consists of homeowners whereas 54% are represented by renters. The table also shows that less than 1/5<sup>th</sup> (19%) of cost-burdened households are households earning more than \$75,000.

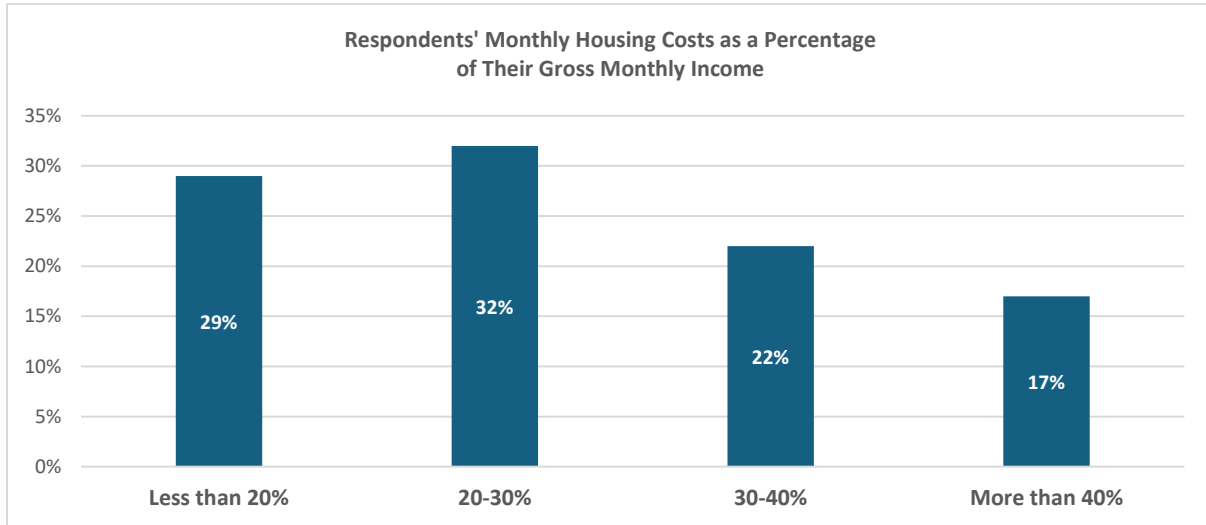
Share of Cost-Burdened Philmont Households by Income Level, 2022			
	All units	Owner units	Rental units
Below 24% AMI [Less than \$20,000]	27%	2%	25%
24% AMI - 43% AMI [\$20,000 to \$34,999]	39%	17%	22%
44% AMI - 61% AMI [\$35,000 to \$49,999]	8%	0%	8%
62% AMI - 92% AMI [\$50,000 to \$74,999]	8%	8%	0%
Over 92% AMI [\$75,000 or more]	19%	19%	0%
92% AMI and under	81%	27%	54%
Share of total cost-burdened households	100%	46%	54%

Source: US Census American Community Survey

*Resident Experience of Cost Burden*

While American Community Survey data documents cost burden between 2012 and 2022, more recent data on housing cost burden was collected through the 2024 Philmont Housing Survey. According to the survey data, 39% of Philmont residents experience housing cost burden as measured by paying more than 30% of their income on housing costs. This share is notably higher than the 28% of households documented as housing cost-burdened in the 2020 American Community Survey. Potential explanations for the divergence include:

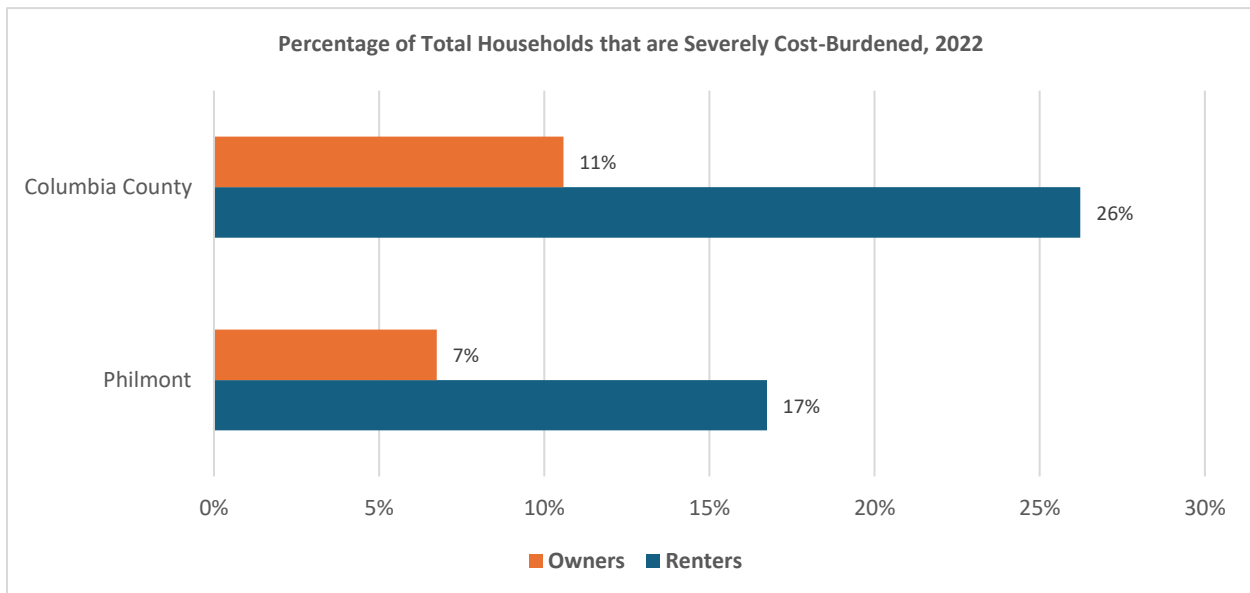
- The survey data captures current experiences including recent rent increases which may be more palpable with the expiration of rental assistance programs during the pandemic.
- Rent and sales prices have increased since 2022.
- Census data defines “income” as pre-tax income whereas survey respondents may consider their income to be post-tax income.
- The survey respondent’s perception of the amount paid toward housing may not be accurate.



Source: 2024 Village of Philmont Housing Survey

*Severe Cost Burden*

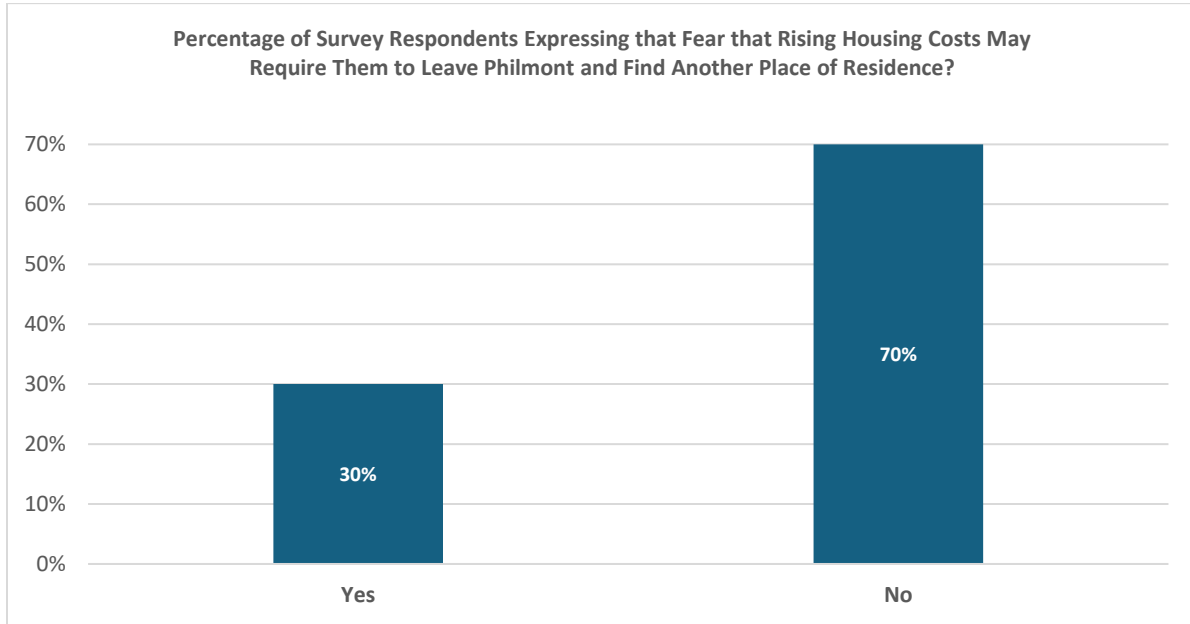
A household that spends more than 50% of housing is said to be severely cost-burdened. In Philmont, 7% of owners and 17% of renters are significantly cost-burdened. In Columbia County, 11% of owners and 26% of renters are significantly cost-burdened.



Source: US Census American Community Survey

## Fear of Displacement

The 2024 Philmont Housing Survey asked respondents if they feared losing their ability to stay in Philmont due to rising housing costs. Just under 1/3<sup>rd</sup> of respondents expressed that they feared displacement. Some residents expressed that they were housing secure but they worried that their adult children would not be able to afford to find affordable housing in Philmont.



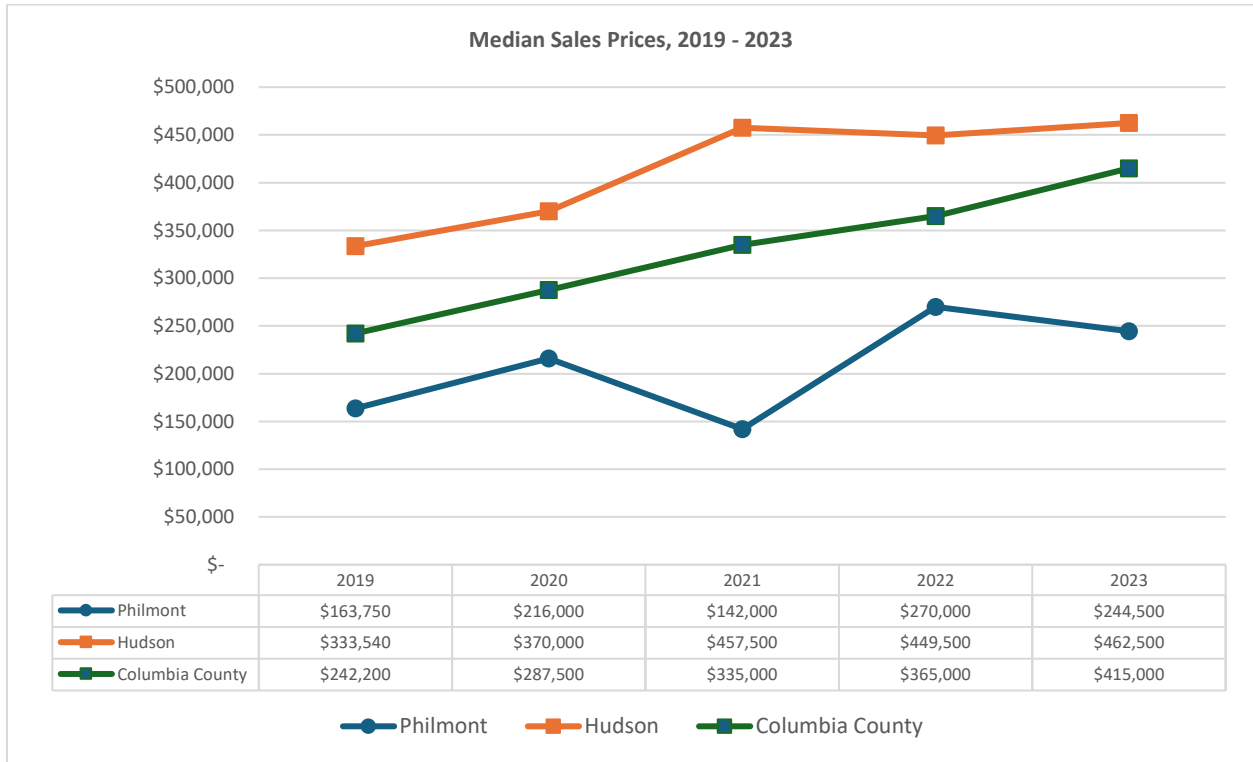
Source: 2024 Village of Philmont Housing Survey

## MARKET TRENDS

### Home Sales Market

#### Median Sales Prices

Between 2019 and 2023, the median sales price for single-family homes in Philmont increased 49% compared to a 39% increase in Hudson and a 71% increase in Columbia County.



Source: New York State of Office of Real Property & Tax Services

#### Sales Transactions

Between 2019 and 2023, the number of sales transactions declined by 22% in Philmont, 19% in Hudson, and 24% in Columbia County.

Number of Single-Family Homes Sold in Philmont, 2019 - 2023						
	2019	2020	2021	2022	2023	Change (%) 2019 - 2023
Philmont	18	13	12	12	14	-22%
Hudson	54	63	56	50	44	-19%
Columbia County	641	802	805	656	490	-24%

Source: New York State of Office of Real Property & Tax Services

## Rental Market

### Philmont's Rental Market

As of July 26, 2024, 99 houses or apartments are listed for rent in Columbia County, per Zillow. Of these, only 7 units are in Philmont, where the median requested rent is \$1,750, and 43 are in the City of Hudson, where the median requested rent is \$2,300. Both Hudson and Philmont have lower median rents than the County (\$2,550).

Houses and Apartments for Rent by Median Monthly Rent, July 2024			
Locality	Median Rent	# of Listings	% of Listings in Columbia County
Philmont	\$ 1,750	7	7%
Hudson	\$ 2,300	43	43%
Columbia County	\$ 2,550	99	100%

Source: Zillow

Of the seven units currently listed in Philmont, all but one are apartments, and four are two-bedroom units; the remaining three units are a one-bedroom, a three-bedroom, and a four-bedroom.

Current Rental Listings in Philmont, July 2024						
Street Address	Listed Rent	Apartment or Home	Number of Bedrooms	Number of Bathrooms	Total Square Feet	Price Per Square Foot
100 Main St #1	\$1,300	A	1	1	600	\$2.17
100 Main St #5	\$1,500	A	2	1	900	\$1.67
26 Main St #1	\$2,200	A	4	1	1,650	\$1.33
5 Ark St #1	\$2,550	A	3	1	1,950	\$1.31
10 Lakeside Dr	\$2,500	H	2	1	800	\$3.13
(undisclosed Address)	\$1,600	A	2	1	930	\$1.72
20 Church St #1	\$1,750	A	2	1	800	\$2.19
Median Rent	\$1,750					
Average Rent	\$1,914				Average Price/SF	\$1.93

Source: Zillow

### Columbia County's Rental Market

Compared to Philmont, the rental landscape in Columbia County is more diverse with a near-even split between apartments for rent and houses for rent, as well as a wider distribution of units by number of bedrooms.

Houses and Apartments for Rent in Columbia County by Type of Home, July 2024			
Type of Home	Average Rent	# of listings	% of all listings
House for rent	\$ 4,360	49	49%
Apartment for rent	\$ 2,274	50	51%
Total	\$ 3,307	99	100%

Source: Zillow

While the bulk of housing in Columbia County is more expensive than Philmont, more than 20% of the listings in the County are priced lower than Philmont's median rent.

### Houses and Apartments for Rent in Columbia County by Price Interval, July 2024

**Philmont Housing Study – Working Draft November 4<sup>th</sup>, 20224**

Price (per month)	Number of Available Units	% of Available Units
Under \$1,200	3	3%
\$1,200 to \$1,700	18	18%
\$1,700 to \$2,200	15	15%
\$2,200 to \$2,700	16	16%
\$2,700 to \$3,200	12	12%
\$3,200 to \$3,700	7	7%
\$3,700 to \$4,200	8	8%
\$4,200 to \$4,700	4	4%
\$4,700 to \$5,200	3	3%
Over \$5,200	13	13%
Total	99	100%

Source: Zillow

Whereas Philmont has almost no listings for studio or 1-bedroom apartments, almost a quarter of the County listings offer these smaller units.

Houses and Apartments for Rent in Columbia County by Number of Bedrooms, July 2024			
Bedrooms	Median Rent	# of Available Units	% of all Available Units
Studio or 1-bedroom	\$ 1,600	23	23%
2 bedrooms	\$ 2,300	34	34%
3 bedrooms	\$ 4,000	26	26%
4 bedrooms or more	\$ 3,775	16	16%
Total	\$ 2,550	99	100%

Source: Zillow

*City of Hudson’s Rental Market*

As in the County, the bulk of listings in Hudson ask for a monthly rent between \$1,700 and \$3,700, though 16% of the listed units ask for less than \$1,700 per month. Similar to the County, 12% of the listed units are priced over \$5,200.

Houses and Apartments for Rent in Hudson by Price Interval, July 2024		
Price (per month)	Number of Available Units	% of Available Units
Under \$1,200	1	2%
\$1,200 to \$1,700	6	14%
\$1,700 to \$2,200	13	30%
\$2,200 to \$2,700	5	12%
\$2,700 to \$3,200	6	14%
\$3,200 to \$3,700	2	5%
\$3,700 to \$4,200	3	7%
\$4,200 to \$4,700	2	5%
\$4,700 to \$5,200	0	0%
Over \$5,200	5	12%
Total	43	100%

Source: Zillow



The unit mix in Hudson is comparable to the County as a whole. About a quarter of the listings are studio or 1-bedroom apartments, which are very hard to find in Philmont in spite of a growing population of residents living alone. As with the County, a plurality of the listings in Hudson are two-bedroom apartments.

<b>Houses and Apartments for Rent in Hudson by Number of Bedrooms, July 2024</b>			
<b>Bedrooms</b>	<b>Median Rent</b>	<b># of Available Units</b>	<b>% of all Available Units</b>
Studio or 1-bedroom	\$ 1,790	11	26%
2 bedrooms	\$ 2,300	17	40%
3 bedrooms	\$ 4,000	9	21%
4 bedrooms or more	\$ 4,050	6	14%
<b>Total</b>	<b>\$ 2,300</b>	<b>43</b>	<b>100%</b>

Source: Zillow

## CHAPTER 2: POLICIES AND REGULATIONS

This chapter represents the second working paper prepared as part of the Philmont Housing Study. It presents summaries of the Village’s existing policies and regulations that impact the location, supply, and price of housing within the Village. These policies and regulations were documented in order to evaluate their responsiveness to the housing needs documented in *Chapter 1: Housing Needs Assessment* and inform the new housing policies and actions proposed in *Chapter 3: Proposed Policy Framework*.

### POLICIES

#### Philmont Comprehensive Plan (2002)

The Village of Philmont completed the first draft of their comprehensive plan in 2002.<sup>1</sup> As summarized below, the plan consists of recommendations in four areas: Development, Building Conditions, Building Code Enforcement, and Funding.

Recommendations from 2002 Comprehensive Plan	
<b>Development Recommendations</b>	
▪	Plan cooperatively with future developers of a subdivision.
▪	Encourage future housing development to be consistent with the historical building patterns of the Village.
▪	Restrict subdivision of uniform lots sizes in favor of varying lot sizes and densities.
▪	Provide periodic training to members of Zoning, Planning, and Village Boards.
▪	Regularly review and revise zoning regulations to most appropriately reflect the needs of the community.
<b>Building Condition Recommendations</b>	
▪	Identify existing homes and other structures in need of repair and improvement.
▪	Encourage and assist owners in maintenance and repair.
▪	Reduce the number of substandard buildings.
▪	Encourage rehabilitation of housing where needed.
<b>Building Code Enforcement Regulations</b>	
▪	Adopt New York State Building Standards.
▪	Require all new construction to adhere to New York State building code standards.
▪	Enforce existing building ordinances.
▪	Continue strong enforcement of current zoning regulations.
▪	Charge administrative fee for building permits to property owners who are cited for violations.
<b>Funding Recommendations</b>	
▪	Continue to work closely with Housing Resources of Columbia County to improve the housing stock of the Village.
▪	Secure funds to improve housing conditions and facades within the Mill District.
▪	Continue to actively pursue funding to implement building improvement programs. <ul style="list-style-type: none"> <li>○ Specifically, Philmont will access the Governor’s Office for Small Cities, the NYS Division of Housing and community renewal , the Rural Development Administration, and any other agencies that can offer financial assistance to the Village to introduce building improvement programs that will address the negative aspects of buildings within the Main Street area.</li> </ul>

<sup>1</sup> <https://philmont.org/wp-content/uploads/2021/05/Village-of-Philmont-Comprehensive-Plan.pdf>

## New York State Pro-Housing Community Certification (2024)

In July 2024, NYS Home & Community Renewal approved Philmont’s application to be designated as Certified Pro-Housing Community. To become a certified Pro-Housing Community, the Philmont Village Board passed a resolution at the May 2024 board meeting adopting the Pro-Housing Community pledge to the following principles:

- Streamline permitting multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
- Adopt policies that affirmatively further fair housing.
- Incorporate regional housing needs into planning decisions.
- Increase development capacity for residential uses.
- Enact policies that encourage a broad range of housing development including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

## REGULATIONS

### Philmont Zoning Code

#### *Policy Goals*

Chapter 160 of Philmont’s Local Laws presents the Village’s zoning regulations. Section 16-3 presents several policy-oriented goals intended to define the purpose of the zoning regulations. While all of these goals, summarized in the table below, have at least some relevance to housing development, only Goal M expressly deals with housing. This goal calls for a diversity of housing types that are responsive to community needs.

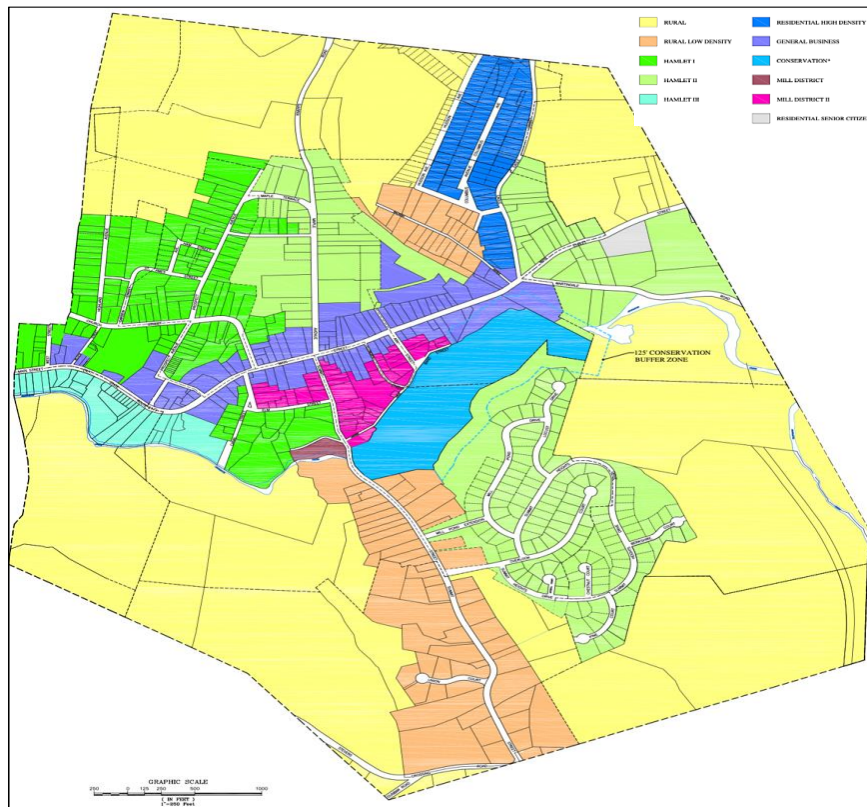
Philmont Zoning Policy Goals (2006)
A. Encourage the most appropriate use of Village land with regard to its natural beauty, so as to conserve and enhance the value of its property.
B. Protect and conserve the aesthetic aspects, character, environment, social and economic stability of the Village.
C. Provide adequate and suitably located commercial facilities.
D. Regulate building densities in order to assure access of light and circulation of air, facilitate the prevention and fighting of fires, and prevent undue concentration of population.
E. Assure privacy for residents and freedom from nuisance and things harmful to the senses.
F. Protect the community against unsightly, obtrusive and noisy land uses and operations.
G. Lessen congestion on streets and highways and provide efficient municipal services.
H. Improve traffic circulation; plan for adequate off-street parking and loading facilities.
I. Provide adequately for water, sewage, educational facilities, parks, conservation and recreation areas.
J. Protect streams and ponds from pollution and avoid hazardous conditions and excessive damage from stormwater runoff and flooding.
K. Protect the water table and encourage wise use and sound management of natural resources so that they may be preserved.
L. Assure future preservation of open space and recreation lands as an integral part of future development.
M. Provide a variety of housing types and environments in order to afford the maximum opportunity for people to find a housing and living style suitable to their needs and desires.

*Zoning Map*

The Village of Philmont’s zoning map, last updated in 2006, is divided into 11 districts. The table below presents each zoning district’s general permitted uses, as outlined in greater detail in §160-7 of the Village’s zoning code. In general, the map concentrates its most dense uses in its center along Main Street with decreasing permissible densities as distance increases from the center. Under this zoning concept, more than half of Village land is designated for rural land uses.

Philmont Zoning Districts and Their General Uses	
District	General Uses Permitted
Rural (R)	Agricultural, ecological (woodlands/wetlands), residential
Residential Low Density (RLD)	Low-density and traditional housing
Hamlet I (H-I)	Typical village housing
Hamlet II (H-II)	Typical village housing
Hamlet III (H-III)	Various housing, including smaller and more affordable housing, within walking distance to commercial center
Residential High Density (RHD)	Various housing, including smaller and more affordable housing and mobile homes
Mill (M)	Protected areas of unique and historical structural concern
Mill II (M-II)	Mixed-use commercial and residential: “low-impact” commercial uses that “respect the residential quality of the area and encourage walkability”
General Business (GB)	Commercial, largely developed
Conservation (C)	Protected areas of environmental concern; limited use allowed
Residence Senior Citizen (RSC)	Affordable senior citizen housing

**Village of Philmont Zoning Map (2006)**



**Philmont Housing Study – Working Draft November 4<sup>th</sup>, 20224**

*Kinds of Housing Permitted Within Each Zoning District*

The table below shows the types of housing that are permitted within each zoning district. As shows in the table, multi-family housing is only permitted in the M and GB Districts. Accessory apartments require a special permit in R, RLD, H-I, and H-II Districts and permissible as of right only M, M-II, and GB Districts.

Village of Philmont Permitted Uses and Special Use Permits by Zoning District											
	R	RLD	H-I	H-II	H-III	RHD	M	M-II	GB	C	RSC
<b>Residential Uses</b>											
Single-family	P	P	P	P	P	P	P	P	P	X	X
Two-family	SP	SP	P	P	X	X	P	P	P	X	X
Multifamily	X	X	X	X	X	X	P	X	P	X	X
Mobile home	X	X	X	X	X	P	X	X	X	X	X
Senior citizen housing	X	X	X	X	X	X	X	X	X	X	SP
<b>Accessory Uses</b>											
Accessory apartment	SP	SP	SP	SP	X	X	P	P	P	X	X
Accessory structure	P	P	P	P	P	P	P	P	P	X	X
<b>Other Residential Uses</b>											
Adult homes	X	SP	SP	SP	X	X	SP	X	SP	X	X
Group homes	X	SP	SP	SP	X	X	SP	X	SP	X	X
<b>Mobile Home Park</b>											
Mobile home park	X	X	X	X	X	X	X	X	X	X	X
<b>Commercial Uses</b>											
Bed-and-breakfast	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X
Home occupation, office	SP	SP	SP	SP	SP	SP	SP	SP	SP	X	X
Restaurants	X	X	X	X	X	X	SP	SP	SP	X	X
Retail: Less than three	X	X	X	X	X	X	P	P	P	X	X
Retail: Three or more	X	X	X	X	X	X	SP	X	SP	X	X

P: Permitted; SP: Allowed only with Special Permit; X: Not Permitted

*Design Regulations Permitted within Residential Zones*

The table below presents the bulk regulations and coverage limitations for development in Philmont’s 11 zoning districts. The following subsections summarize the bounds and sets of dimensions listed in the table for each district.

Village of Philmont Bulk Regulations and Coverage Limitations by Zoning District											
Use	R	RLD	H-I	H-II	H-III	RHD	M	M-II	GB	C	RSC
<b>Minimum Lot Dimensions</b>											
Area (acres)	2	1	1/3	1/2	1/4	1/4	4K sf. <sup>2</sup>	1/3	4K sf. <sup>2</sup>	2	2
Width (ft.)	200	100	75	75	50	50	40	75	40	200	200
Depth (ft.)	150	125	150	150	75	75	100	150	100	150	200
<b>Minimum Yard Dimensions</b>											
Front (ft.)	75*	35*	25*	25*	25*	25*	10*	25*	10*	75	35
Each side (ft.)	40	25	10	10	10	10	25	10	—	25	10
Rear (ft.)	30	30	30	30	30	30	10	30	15	30	30
<b>Maximum Height of Buildings</b>											
Feet	35	35	35	35	35	35	35	35	35	NP	35
Stories	2.5	2.5	2.5	2.5	2.5	2.5	3	2.5	2.5	NP	2.5
<b>Maximum Lot Coverage</b>											
Percentage	30	30	30	30	30	30	85	30	85	NP	50

NP = Not permitted

\* = or consistent with all buildings within 200 ft. on either side

### Minimum Lot Dimensions

In all three Hamlet Districts, both Mill Districts, the General Business District, and the Residential High Density District, minimum lot area falls below 0.5 acres, minimum width between 40 and 75 feet, and minimum depth between 75 and 150 feet. In the remaining four districts, minimum area is either 1 or 2 acres, minimum width either 100 or 200 feet, and minimum depth between 125 and 200 feet.

### Minimum Yard Dimensions

For yards in most districts, minimum side length is 10 or 25 feet, and minimum rear length is 30 feet. The exceptions are the Rural District, where minimum side length is 40 feet; the Mill District, where minimum side length is 25 feet and minimum rear length 30 feet; and the General Business District, where minimum rear length is 15 feet and minimum side length is not listed. There is slightly more variety in minimum front length, which is as low as 10 feet in the Mill and General Business Districts and as high as 75 feet in the Rural and Conservation Districts.

### Maximum Height of Buildings

In all districts except the Conservation District, where buildings are not permitted, the maximum allowed building height is 35 feet. In general, all buildings in the Village may be built with a maximum of 2.5 stories except in the Mill District, where 3 stories are permitted.

### Maximum Lot Coverage

With four exceptions, all zoning districts in Philmont allow buildings a maximum lot coverage of 30%. Those four exceptions are the General Business District and Mill District, where maximum coverage is 85%; the Residence Senior Citizen District, where it is 50%; and the Conservation District, where buildings are not permitted.

## Building Code

The Village of Philmont and New York State have established laws that mandate minimum standards for construction, fire safety, and property maintenance. These standards are dictated by the New York State the Uniform Fire Prevention and Building Code and the Energy Conservation Construction Code (ECCC).<sup>2</sup> In 2021, the Village of Philmont adopted NY Stretch, a more energy efficient building code than the ECCC. NY Stretch requires that new buildings or substantially renovated buildings adhere to more restrictive buildings regulations aimed at redressing climate change concerns.<sup>3</sup>

## Code Enforcement Regulations

As noted above in the summary of the Village's 2002 Comprehensive Plan, the majority of comprehensive planning recommendations related to housing conditions including specific language regarding the enforcement of codes and assistance to homeowners needing to repair or rehabilitate their buildings.

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<sup>2</sup> <https://dos.ny.gov/building-standards-and-codes>

<sup>3</sup> <https://philmont.org/wp-content/uploads/2021/11/Local-Law-1-of-2021.pdf>

## Philmont Housing Study – Working Draft November 4<sup>th</sup>, 20224

The Village’s most recent regulations regarding code enforcement were adopted by a local law passed in 2006 and are now outlined within Article IX of Philmont’s Code.<sup>4</sup>

<b>Philmont’s Code Enforcement Regulations</b>	
<b>Responsibility and Purview</b>	
▪	The Code Enforcement Officer is tasked with administering and enforcing all aspects of the Uniform Code, the Energy Code and the Zoning Law.
▪	The duties specifically include reviewing and investigating complaints and pursuing administrative and legal enforcement actions through the courts.
▪	The Code Enforcement Officer is authorized to order in writing the remedying of any building condition or activity that is in violation of relevant laws.
▪	The CEO’s authority also includes administering and enforcing specific laws adopted to address building conditions. These laws include the Unsafe Buildings law, Tenancy Registration and Certificates of Occupancy, and Vacant Buildings Registry.
<b>Penalties</b>	
▪	If the property owner does not comply, the local law allows for a civil penalties of not more than \$250 for each day for which a violation continues and references state laws that allows for a fine up to \$1,000 per day and imprisonment.
<b>Reporting Requirements</b>	
▪	The Code Enforcement Officer shall submit monthly report to the Village Board and an annual report to the New York Secretary of State that includes a summary of all transactions and activities conducted by the CEO and the inspectors.
<b>Unsafe Buildings Law</b>	
▪	Unsafe Buildings requires that the Building Inspector declare dangerous buildings a public nuisance and direct the property owner to take action to address the dangerous conditions, including removal of all unsanitary, flammable or combustible materials and the boarding up all windows, doors and openings to the building.
▪	If the property owner fails to take action, the Building Inspector can take action and the cost shall be a lien on the property if the property owner fails to reimburse the Village for all costs and expenses.
<b>Section 301 of the Property Maintenance Code</b>	
▪	The owner of the premises shall maintain the structures and exterior property in compliance with these requirements except as otherwise provided for in this code
▪	A person shall not occupy as owner-occupant or permit another person to occupy premises that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter.
▪	Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises they occupy and control.

The Village does not have the staff nor the budget to undertake proactive code enforcement activities such as ongoing monitoring and external inspections. When violations are reported to the Village’s building department, the violations are documented and contact is attempted with the building owner to resolve the issue. However, the Village does not have the resources to create a digitized code enforcement database that chronicles the dates of building code violations, proposed methods of resolution, tracking of remedies, or assignment of penalties. Although the local law suggests penalties up to \$250 a day for penalties, the Village does not assign penalties due to the legal and administrative costs of engaging the judicial system and the uncertainty of the outcomes that may result from this level of escalation in response.

<sup>4</sup>[https://locallaws.dos.ny.gov/sites/default/files/drop\\_laws\\_here/ECMMDIS\\_appid\\_DOS20150218075531\\_29/Content/0902134380010bca.pdf](https://locallaws.dos.ny.gov/sites/default/files/drop_laws_here/ECMMDIS_appid_DOS20150218075531_29/Content/0902134380010bca.pdf).

The code enforcement provisions under the Unsafe Building Law, enable the Village to redress dangerous conditions. The law allows the Village to board up, rehabilitate, or demolish vacant and hazardous buildings that are unsafe for human habitation. The law also authorizes the Village to require the owner to pay for all costs and expenses, which can be placed as a lien on the property. This lien can be foreclosed similarly to tax liens. In practice, however, the Village has not been able to recover the costs of remediation or demolition. Given the limited possibility for compensation, the Village does not generally expend resources to mitigate a distressed building unless the conditions are dangerous.

Lastly, the Village has condemned buildings through its Unsafe Building Law and Section 301 of the Property Maintenance Code. However, properties with a lien are generally handled by Columbia County. The County has had a backlog of properties with liens that accumulated during the height of the pandemic. As such, properties with liens that are significantly distressed and tax delinquent have not been foreclosed nor have they been acquired by the Village under the abandonment provisions in New York State Article 19-A.<sup>5</sup>

## Vacant Property Regulations

The Village of Philmont adopted a Local Law in 2021 that established a Vacant Property Registry.<sup>6</sup> Key provisions of the registry are summarized below.

Village of Philmont's Vacant Property Registry Provisions
▪ Vacant property registration is required for unoccupied properties in the Village.
▪ Property owners must register annually and pay an escalating fee, starting at \$1,000 and goes up to \$5,000.
▪ Registration applications must be submitted to the Code Enforcement Officer and include information about lien holder(s), 24-hour responsible party contact information, and vacant building plan indicating if the building will be demolished, secured or rehabilitated. The plan must be approved by the Enforcement Officer.
▪ Applicants must secure the property in accordance with the law.
▪ New owners must register the building within 30 days.
▪ Buildings subject to fire damage or extreme weather can submit a request for a 90-day exemption from the registration requirement.
▪ The Code Enforcement Officer shall inspect the property. They must get permission to access the interior portions of the unoccupied building.
▪ Annually Code Enforcement Officer must submit a report of the vacant properties to the Mayor and Board of Trustees.
▪ Fees incurred by the Village in connection with inspecting, securing, maintaining or removing the vacant building shall be assessed against the land.

Currently, the Village maintains a list of only 10 buildings that are deemed as vacant. These buildings include ones that have been deemed unsafe for habitat and therefore condemned. However, this list of vacant buildings does not represent the total number of buildings that are unoccupied within the Village for two reasons. First, the vacant property registry law adopted by the Village can be interpreted to address buildings that are not only unoccupied but also physically or visibly distressed in some way. Second, the Village does not have the resources to proactively identify unoccupied buildings and ensure they are registered.

<sup>5</sup> <https://www.nysenate.gov/legislation/laws/RPA/A19-A>;  
[https://newyork.public.law/laws/n.y.\\_real\\_property\\_actions\\_and\\_proceedings\\_law\\_section\\_1970](https://newyork.public.law/laws/n.y._real_property_actions_and_proceedings_law_section_1970)

<sup>6</sup> <https://philmont.org/wp-content/uploads/2021/11/Local-Law-2-of-2021.pdf>



As noted above, the Village has not acquired condemned buildings for a variety of reasons including the backlog in the County in dealing with tax delinquent properties as well as the absence of a reuse strategy for any claimed buildings.

## **Rental Registry Regulations**

The Village of Philmont adopted a local law in August 2020 that established a rental registry. The law applies to units that are rented through long-term leases as well as short-term leases such as those advertised on Airbnb. The provisions of the law are established below.<sup>7</sup>

<b>Village of Philmont Rental Registry Regulations (2020)</b>
<ul style="list-style-type: none"><li>▪ Before renting landlord must submit annual rental property registry form and a \$50 fee per property to Building Inspector and the tenancy registration must be approved.<ul style="list-style-type: none"><li>○ Form includes: floorplan, contact information for landlord or agent who is available during emergencies, anticipated tenancy conditions (i.e. parking, garbage removal responsibilities)</li></ul></li></ul>
<ul style="list-style-type: none"><li>▪ The process of registering includes inspection of both the building as well as the units within that building that will be rented. This inspection process occurs simultaneously.</li></ul>
<ul style="list-style-type: none"><li>• The owner must submit a Tenancy Certificate of Occupancy (TCO) application for each rental unit. An inspection is required each time that a new tenant enters the building.<ul style="list-style-type: none"><li>○ The owner must pay a fee of \$20 for first inspection. If the inspection fails, then the owner must pay \$30 for second inspection, \$40 for third inspection, and \$50 for fourth inspection.</li><li>○ Any violations found must be corrected before the Tenancy CO is issued</li><li>○ The certificate of occupancy shall certify that the residential unit is to be occupied and the services to the unit are in compliance with the New York State Uniform Fire Prevention and Building Code and Chapter 160, Zoning, of the Village of Philmont.</li></ul></li></ul>

The Village estimates that there are approximately 159 buildings with rental units in the Village, but that only 72 of these buildings have ever registered their units. The Village faces several challenges in ensuring full compliance with the registry. First, the Village does not have access to a formal tracking report on rental units from the assessors in either the Town of Claverack nor Columbia County. Secondly, the Village does not have the staff or resources to monitor rental buildings and ensure they are complying with the law. As such, compliance with the rental registry is on a voluntary basis.

## **Short-Term Rental Policy**

As noted above, the Village requires registry of short-term rentals within its rental registry. However, the Village does not have any other regulations related to short-term rentals. Moreover, the low capture rate for the rental registry suggests that not all short-term rentals are registered with the Village.

## **CHAPTER 3: PROPOSED POLICIES AND ACTIONS**

This chapter presents five housing policies that are recommended for inclusion within the Village’s forthcoming update to its comprehensive plan. Each policy is associated with its corollary housing needs, opportunities,

<sup>7</sup> <https://philmont.org/wp-content/uploads/2021/11/Local-Law-1-of-2020-1.pdf>

constraints, and potential actions. The process for determining these elements and a diagram illustrating their function within the broader policy-making process follows below.

It should be noted that this chapter does not constitute final recommendations. The Village of Philmont is continuing to consider the viability of draft housing policies and actions in concert with the update to the Comprehensive Plan. As part of this planning effort, it is expected that the Village will develop policies on other housing related topics including environmental sustainability, economic development, and social equity. As goals are developed in these areas, the proposed policies and actions in this document will be modified.

## **STRUCTURE OF FRAMEWORK**

### **Policy Statements**

Municipal policy statements are broad goal-oriented statements that represent a community’s vision for future outcomes in different resource areas. By design, these statements are broad in scope and do not express commitments to specific actions or implementation steps.

### **Potential Actions to Implement Policy**

Whereas policies are broad goal statements that describe *what* outcomes the Village imagines for its future, actions explain *how* these outcomes will be achieved. In this document, the general actions for implementing each policy are specified. However, even more specific implementation steps, best practices and case studies are provided within Chapter 4: Implementation Plan.

### **Housing Needs**

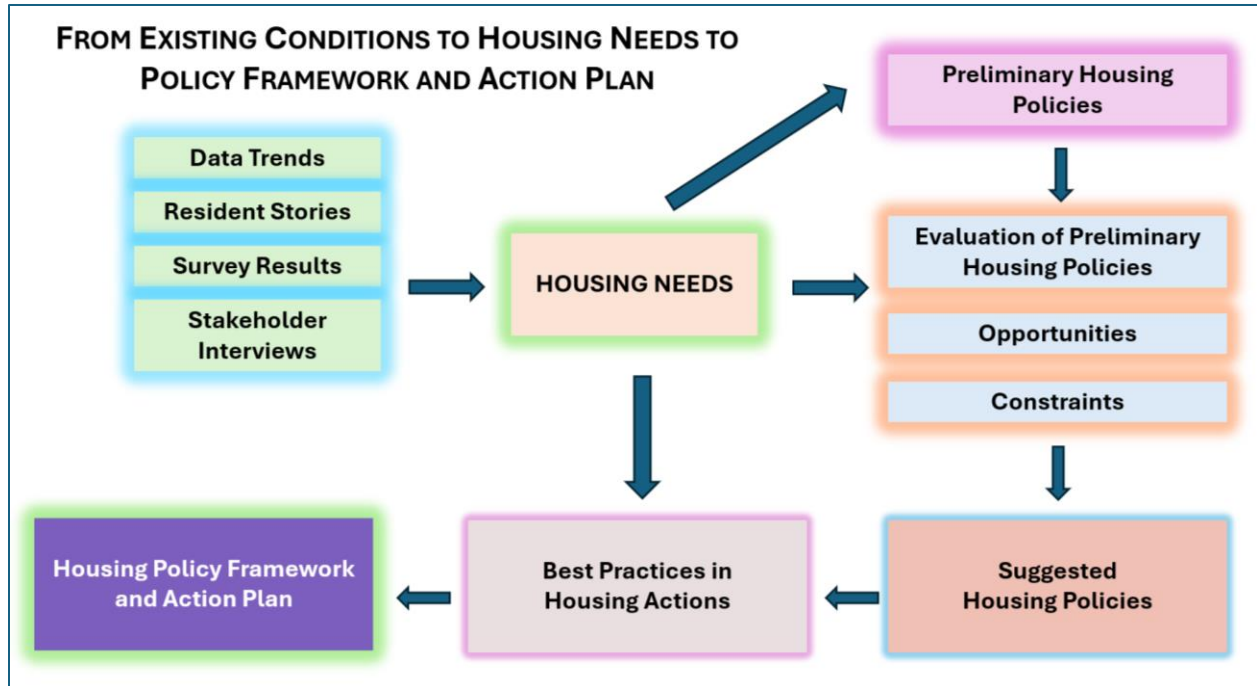
The rationale for each policy is grounded in housing needs that were determined on the basis of data analysis, residential input, and stakeholder interviews. For a complete presentation of housing needs, see Chapter 1: Housing Needs Assessment. This document also includes the results from the Philmont Housing Survey that was conducted during the summer of 2024 and that was used in tandem with in-person meetings with community residents to discern the Village’s unmet housing needs.

### **Housing Opportunities**

Each proposed policy includes a brief summary of the existing tools and resources for advancing the proposed policy toward implementation. These sources of support include current laws, regulations, or funding programs as well as candidate development sites or areas prime for housing supply increases. For a more in-depth description of existing regulations, programs, and funds, see Chapter 3: Existing Policies and Regulations.

### **Housing Constraints**

Although each of the polices presented within the policy framework have been deemed to be feasible, each of them also carries their own sets of barriers, tradeoffs, and limitations. These challenges are identified so that actions and implementation steps can be purposefully designed to overcome obstacles and ensure the viability of the proposed policy.



## PROPOSED HOUSING POLICY FRAMEWORK

### Policy 1: Preserve Philmont’s Residential Neighborhoods, View Corridors, & Open Spaces

#### *Potential Actions to Implement Policy*

- 1A. Maintain low-density development patterns in peripheral neighborhoods
- 1B. Maximize protection of open space
- 1C. Encourage historic preservation of existing buildings
- 1D. Regulate short-term rentals

#### *Housing Needs Addressed*

Philmont’s current residents broadly value Philmont’s unique history and its current physical form.

- Stakeholder outreach suggests that many residents value Philmont’s architectural heritage as well as its small-town and community oriented character.

Although Philmont maintains a supply of rental housing that is larger than many other communities in Columbia County, there remains a need to safeguard the availability of that housing to meet local housing needs.

- During July 2024, only 14 housing units were currently advertised online as available for short-term rental. However, it is possible that this number could grow given the large supply of housing units that are advertised as short-term rentals within Columbia County.

### ***Opportunities***

Philmont’s existing zoning code largely protects the low-density and low-intensity physical composition of the Village. These zoning districts, especially those that are located at a distance from Main Street and large development sites can be maintained to insulate the Village from overdevelopment. Philmont’s designation as a historic district enables property owners to receive historic tax credits to offset the costs of rehabilitating their buildings in accordance with preservation principles.

### ***Constraints***

Although Philmont residents value the existing physical composition of the Village, the lack of any new housing production over the last decade in tandem with market pressures has made it difficult for long-term residents to secure housing that meets their evolving needs and budgets.

## **Policy 2: Increase the Supply of Rental Housing**

### ***Potential Actions to Implement Policy***

- 2A. Revise zoning regulations to encourage production of rental housing in appropriate areas
- 2B. Promote accessory dwelling units through funding incentives and streamlined approvals
- 2C. Pursue funding programs that would help non-profit housing developers building affordable rental units

### ***Housing Needs Addressed***

Even though Philmont has attracted more affluent residents over the last ten years, a large share of the current population still needs more affordable rental housing options.

- The number of listed rental and sales units is very low with monthly asking prices ranging between \$1700 and \$3700.
- One fifths of residents report that monthly housing costs increased by more than 20% just within the last year.
- More than 1/3<sup>rd</sup> of renters are cost burdened as measured by them paying more than 1/3 of their income toward housing costs.
- Nearly 1/3<sup>rd</sup> of survey respondents fear displacement due to housing costs.

### ***Opportunities***

The Village of Philmont has several possible partners for increasing housing supply including Habitat for Humanity, the Columbia County Land Bank Corporation, the Trillium Community Land Trust, and PBInc. New housing is possible on the underdeveloped sites along Main Street (such as the single story grocery store, dollar store, and car-wash) or in the undeveloped area overlooking Summit Lake. The Village zoning code already has provisions that would enable site plans with cluster housing concepts under a special use permit.

### ***Constraints***

Existing zoning regulations do not provide requirements or incentives for affordable rental housing production. The rights of residents to build accessory housing units is limited by lack of promotion, lack of zoning regulations that permit higher density housing, and lack of financial support. Increased housing production is further curtailed by the Village not owning properties that are suitable for housing development.

## Policy 3: Provide Greater Opportunities For Affordable Homeownership

### *Potential Actions to Implement Policy*

- 3A. Encourage production of alternative forms of home ownership through tax incentives, grant assistance and partnerships with non-profit housing organizations
- 3B. Adopt tax incentives that reduce the costs of homeownership

### *Housing Needs Addressed*

Even though homeownership rates have risen within the Village over the past ten years, there remains a need for more affordable housing options.

- Just over 1/5<sup>th</sup> of Philmont homeowners are cost burdened as measured by them paying more than 30% of their income toward housing costs.
- Between 2019 and 2023, the median sales price for single family homes in Philmont increased 49% from \$163,750 to \$244,500.
- The overwhelming majority (75%) of Philmont housing survey respondents reported that they prefer to own their own home rather than rent.

### *Opportunities*

The Village of Philmont has several possible partners for creating affordable homeownership units. These partners include Habitat for Humanity, the Columbia County Land Bank Corporation, and the Trillium Community Land Trust. New York State has several long-established as well as new tax incentive programs that can support production of new homes for sale or provide financial assistance to homeowners. The Village allows for accessory dwelling units, which in turn provide a revenue stream to homeowners and helps they pay for their housing costs.

### *Constraints*

Ensuring the long-term affordability of homeownership units requires creative approaches to housing production, financing, and conveyance. The Village has only limited experience with the production of alternative forms of homeownership such as sweat equity financed units, condominiums, cooperatives, and limited equity transactions.

## Policy 4: Improve Housing Conditions

### *Potential Actions to Implement Policy*

- 4A. Adopt tax incentives for home improvements
- 4B. Provide financial support for home improvements and façade improvements
- 4C. Optimize code enforcement process
- 4D. Improve administration of rental registry and expand its scope of functions to improve information on code enforcement and enhance landlord-tenant relations.
- 4E. Improve administration of vacant property registry

### *Housing Needs Addressed*

Much of the Village’s housing stock is old and in need of repair.

- About 2/3<sup>rd</sup> of the housing units in Philmont were built before 1940.
- Housing survey respondents report building condition issues including plumbing (36%), Mold (32%), Electricity (28%), HVAC concerns (27%); deteriorated building facades (56%); and deteriorated buildings (80%).
- Some tenants complain about lack of maintenance and effective property management while some landlords complain about tenants not taking sufficient care of their units.

### *Opportunities*

Philmont homeowners already have access to at least some sources of financial support for rehabilitating their homes including federal historic preservation tax credits made available as a result of Philmont’s recent designation as a historic district. In addition to its code enforcement regulations, the Village also has created a Vacant Property Registry and Rental Property Registry that each have the potential to be used to more proactively improve building conditions.

### *Constraints*

Many residents do not have the economic means to undertake building improvements. The existing tax credit programs do not provide them with a sufficient level of financial support to make necessary repairs to bring their buildings up to code and resolve outstanding deferred maintenance issues. A more proactive approach to code enforcement will require new sources of funding to offset increased administrative cost associated with inspections, remediation plans, and registry compliance.

There are reasons for not undertaking more aggressive code enforcement including the lack of staff capacity and budget; a desire to not be punitive or intrusive against lower income residents; and reliance on the vacant property registry and rental registry as the main tools for monitoring and improving building conditions.

## **Policy 5: Incentivize Wider Variety of Housing Units**

### *Potential Actions to Implement Policy*

- 5A. Create Zoning Incentives for Development of Smaller Units

### *Housing Needs Addressed*

Most of the housing in Philmont consists of single family homes or larger apartments that are suitable for families although the Village’s diverse population requires a wider variety of units.

- More than 1/3<sup>rd</sup> of the Village population lives alone.
- Only 15% (or 100 units) in Philmont are studio and 1BR apartments.
- 57% of housing survey respondents said the Village needed Studio or 1BR apartments
- 1/3<sup>rd</sup> of the population is comprised of seniors
- Only 12% of the total housing units in Philmont are in buildings with 5 or more units

*Opportunities*

The Village does have a precedent of providing senior housing and so could leverage those developments to further increase their supply. In addition to building smaller units on underutilized parcels along Main Street or around Summit lake, the Village could also encourage smaller units through a more proactive accessory dwelling unit program.

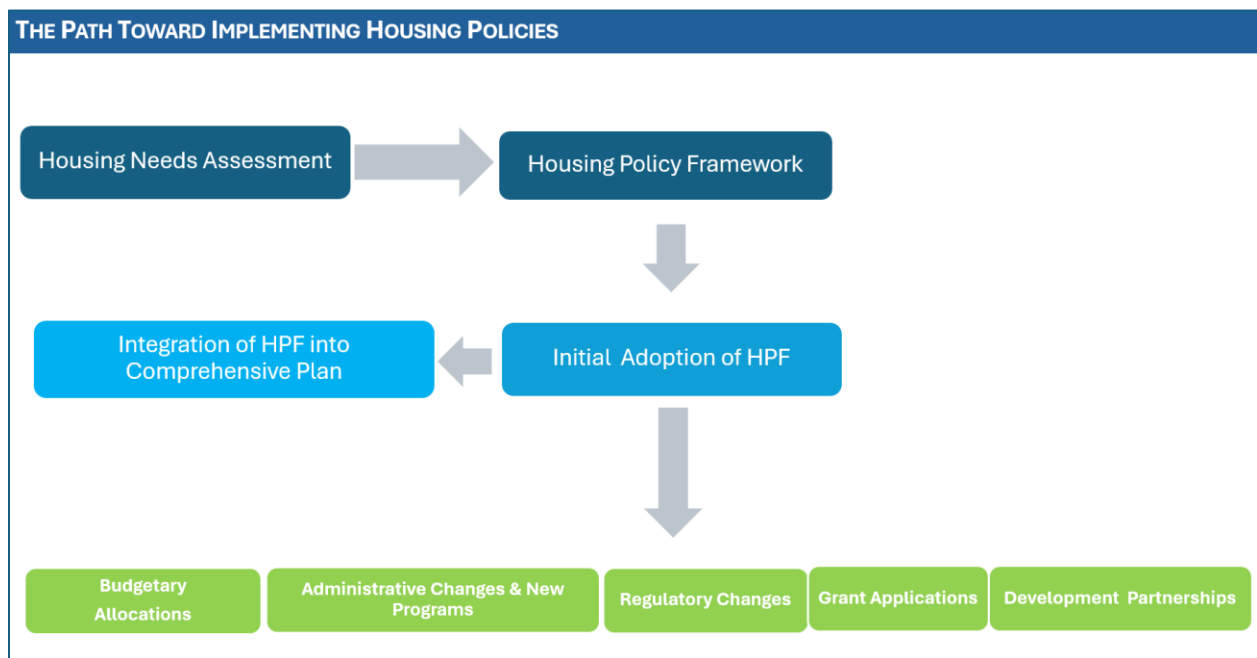
*Constraints*

Although zoning regulations can be used to incentivize smaller units, it is difficult to mandate the construction of certain types of housing units.

## CHAPTER 4: IMPLEMENTATION PLAN

This chapter presents suggestions for implementing the Village of Philmont’s housing policies and action steps proposed in Chapter 3. As illustrated in the diagram below, implementation steps include budgetary allocations, administrative changes, regulatory changes, grant applications, and new development partnerships.

It should be noted that this chapter does not constitute final recommendations. The Village of Philmont is continuing to consider the viability of draft housing policies and actions in concert with the in-progress update to the Village’s Comprehensive Plan. As part of this planning effort, it is expected that the Village will develop policies on other housing related topics including environmental sustainability, economic development, and social equity. As goals are developed in these areas, the proposed implementation steps in this document will continue to be modified.



### Policy 1: Preserve Philmont’s Residential Neighborhoods, View Corridors, & Open Spaces

#### 1A. Maintain low-density development patterns in peripheral neighborhoods

##### Implementation Steps

- As part of the Comprehensive Planning process, establish policy goals that preserve the low-density and residential use in all neighborhoods that are located outside of the Main Street corridor and Mill District.



- Following the adoption of the Comprehensive Plan, the Village should revise its outdated zoning code. As part of this revision, maintain the low-density and rural designations on the Village’s periphery. (See Town of New Castle example below.)
- Encourage increased housing production in areas that are proximate to Main Street, sufficiently served by infrastructure, and on lands that already have some level of residential development.

#### Best Practices and Case Studies

- The Town of New Castle (NY) adopted an update to their Comprehensive Plan in 2017. Based on best practices in comprehensive planning from the American Planning Association, the plan preserved the Town’s low density residential neighborhoods while encouraging a higher intensity and mix of uses within its historic downtown in the hamlet of Chappaqua.<sup>8</sup>

#### **1B. Maximize protection of open space**

##### Implementation Steps

- Encourage the application of cluster zoning concepts for development in the wooded areas around Summit Lake in order to maximize open space preservation. Also explore the possibility of either acquiring these areas and placing them in a land trusting or applying transfer of development concepts to move development rights to another site.

#### Best Practices and Case Studies

- Under construction in Milwaukie (OR) is a new 15-unit affordable cluster housing development consisting of 900 foot cottages aimed at small families, couples, and individuals. The project is the first development moving forward as a result of recently adopted Milwaukie’s Cluster Zoning provision.<sup>9</sup>

#### **1C. Encourage historic preservation of existing buildings**

##### Implementation Steps

- Identify commercial buildings on Main Street that are suitable for adaptive reuse with upper story housing and submit them as potential project as part of an application to the next round of the New York State Downtown Revitalization / New York Forward program.

#### Best Practices and Case Studies

- New York State’s Downtown Revitalization Initiative (DRI) and New York Forward program have helped fund the historic preservation and adaptive reuse of downtown commercial buildings. In Batavia (NY), DRI monies in tandem with historic preservation tax credits were used to finance the conversion of a three story commercial building into a brewery, restaurant incubator, and upper story housing.<sup>10</sup>

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<sup>8</sup> <https://plannewcastle.us>

<sup>9</sup> <https://www.clackamas.us/housingauthority/shortstack-milwaukie>

<sup>10</sup> [https://www.ny.gov/sites/default/files/atoms/files/DRI\\_SuccessStory\\_Historic\\_Preservation.pdf](https://www.ny.gov/sites/default/files/atoms/files/DRI_SuccessStory_Historic_Preservation.pdf);

<https://www.thebatavian.com/tags/jj-newberry-0>

### 1D. Regulate short-term rentals

#### Implementation Steps

- Monitor the outcome of the proposed creation for a statewide short-term rental registry as well as occupancy and sales tax for short-term rentals. The bill has already been passed with bipartisan support by the New York State legislature and awaits approval by Governor Hochul.
- If the statewide registry is adopted, coordinate with Columbia County on the ways in which the registry may be administered by the County alongside any changes in the County’s taxation policies to avoid any potential for redundancy or confusion with Philmont’s short-term rental policy.
- Continue to track short-term rentals either through local monitoring or through the state registry if established.
- Contemplate the possibility of short-term rental regulations in Philmont that would go beyond registering and taxing them and also establish rules on the eligibility, duration, frequency, extent, and terms for short-term rentals.
- Evaluate the necessity and legality of proposed local regulations on short-term rentals within the context of evolving state and county procedures and recommended practices.

#### Best Practices and Case Studies

- Ulster County has established best practice guidance on short term rental policies.<sup>11</sup>
- Germantown (NY) formed a committee tasked with research short-term rental policies, evaluating policies from other municipalities in Columbia County and has drafted an ordinance.<sup>12</sup>
- Hudson (NY) established a new short term rental policy in 2020.<sup>13</sup> The regulation stipulate that
  - Homeowners may rent maximum of 3 short-term units
  - Visits capped at 60 days per calendar year
  - Host must live on property for 50 days/year
  - SRU may not be above a building’s second flood without a sprinkler system
  - Each bedroom must have fire exit information
  - Units must be registered annually (during the month of March)
  - Operators must provide:
    - Proof of residency
    - Record of past rental periods
    - Estimate of future rental periods
    - Application Fee
  - Violation of Rules result in fines of \$1K to \$7.5K

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<sup>11</sup> <https://hsci.ulstercountyny.gov/housing-smart-actions/adopt-short-term-rental-regulations/>

<sup>12</sup> <https://germantownny.org/short-term-rental-committee/>

<sup>13</sup> <https://ecode360.com/HU0410/laws/LF1253106.pdf>

## Policy 2: Increase the Supply of Rental Housing

### 2A. *Revise zoning regulations to encourage rental housing production in appropriate parts of the Village.*

#### Implementation Steps

- Inventory the parcels in the Village that could eventually support a higher intensity of residential uses based upon existing built form, proximity to Main Street, availability of infrastructure including parking, view corridor impacts, and environmental impacts.
- Based upon the site analysis and consequent to the adoption of the Comprehensive Plan, undertake a revision of the zoning code to increase the locations in which multi-family housing could be built while also diversifying the types of housing units permissible including multi-family apartment buildings. Potential considerations for zoning changes include:
  - Maintain the R District for rural low-density uses but also explore possibilities for transfer of development rights in these areas.
  - Explore modest increases in permissible housing density in the hamlet districts, H-I, H-II, and H-III, through changes to lot sizes and accessory dwelling unit provisions.
  - Redefine the RSC zone for senior housing so that it can become other uses over the long-term and to encourage senior housing in other parts of the Village.
  - Examine the viability of the RHD district to support high densities beyond ¼ acre zoning and to absorb multi-family apartments and cluster housing on larger sites assembled over the long-term.
  - Redefine the GB, M, and MII districts to support a higher intensity of mixed-uses especially the parcels along Main Street.
- Adopt inclusionary zoning principles in which affordable housing is required as part of a new development.
  - Mandate that a certain percentage (10%) of new multi-family housing units over a certain size (10 or more units) be affordable to households earning less than Area Median Income. (See Village of Ossining example below.)
- Establish provisions that prioritize new affordable units for public service workers including public safety personnel, municipal employees, healthcare professionals, and educators. (See City of Beacon example below.)

#### Best Practices and Case Studies

- In 2009, the Village of Ossining adopted an Inclusionary Housing policy.<sup>14</sup> The new regulation includes the following provisions:
  - Ten percent of all new development or major rehabilitations of 6 units or more are required to be affordable units.
  - As an incentive, a density bonus of 10 percent will be applied for all development proposing 10 percent Affordable Housing.

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<sup>14</sup> <https://www.villageofossining.org/planning-department/pages/affordable-housing-requirements>

- An additional density bonus of 5 percent will be applied if a developer proposes to include housing for residents making less than 60 percent of Westchester County Average Median Income.
- As an extension of its inclusionary housing ordinance, the City of Beacon (NY) established priorities for new affordable units built under the ordinance to be allocated to first responders, municipal employees, teachers, and local workers. The program is managed by a third party non-profit housing organization, Hudson River Housing. The income of eligible tenants is capped at 90% of Area Median Income though prioritization is given to households earning between 70% and 80% of Area Median Income.<sup>15</sup>

## ***2B. Promote accessory dwelling units through funding incentives and streamlined approvals***

### Implementation Steps

- Work with the Town of Claverack to adopt New York State Real Property Tax Exemption 421-P\*2 to provide tax exemptions for accessory dwelling units.
- Continue to promote resident participation in the Columbia County Plus One Program.

### Best Practices and Case Studies

- Kingston (NY) adopted the 421-P\*2 tax exemption for accessory dwelling units in July 2024.<sup>16</sup>

## ***2C. Pursue funding programs that would help non-profit housing developers build affordable rental housing***

### Implementation Steps

- Partner with existing non-profit organizations (Columbia County Habitat for Humanity, Philmont PB Inc, Trillium Land Trust, Columbia County Land Bank Corporation) to establish housing development plans that could be funded through the New York State Downtown Revitalization / New York Forward Initiative.
- Work with Town of Claverack on the adoption of the NYS Real Property Tax Exemption 421-P Affordable neighborhoods for New Yorkers to incentivize construction of affordable rental housing.

### Best Practices and Case Studies

- Kingston (NY) adopted the 421-P Property Tax Exemption for affordable multi-family residential buildings via a resolution of the Common Council in 2024.<sup>17</sup>

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<sup>15</sup> <https://beaconny.gov/wp-content/uploads/2024/07/City-of-Beacon-Workforce-Housing-Applicaiton-June-2024.pdf>

<sup>16</sup> [https://kingston-ny.gov/filestorage/8399/8469/48370/LL\\_6\\_of\\_2024.pdf](https://kingston-ny.gov/filestorage/8399/8469/48370/LL_6_of_2024.pdf)

<https://kingston-ny.gov/news/?FeedID=3215>

<sup>17</sup> [https://www.kingston-ny.gov/filestorage/8399/10476/11808/11810/Local\\_Law\\_7\\_of\\_2024.pdf](https://www.kingston-ny.gov/filestorage/8399/10476/11808/11810/Local_Law_7_of_2024.pdf)

<https://kingston-ny.gov/news/?FeedID=3215>;

<https://hudsonvalleyone.com/2024/06/06/kingston-mayor-steve-noble-explains-housing-tax-break/>

## Policy 3: Expand Opportunities for Affordable Homeownership

### *3A. Encourage production of alternative forms of home ownership through tax incentives, grant assistance, and partnerships with non-profit housing organizations*

#### Implementation Steps

- Adopt NYS Real Property Tax Exemption 485x Affordable neighborhoods for New Yorkers to incentivize construction of affordable homeownership units.
- Coordinate with Columbia County on potential use of Community Development Block Grant funds for homeownership programs (or rehabilitation assistance for existing homes).
- Apply to New York State’s DRI/NYF program to fund an affordable homeownership program.
- As part of the rezoning process, identify more properties for acquisition and redevelopment by Columbia County Habitat for Humanity, Trillium Land Trust, and PBlnc as affordable homes. While there may be few properties viable for multi-family homeownership units under existing zoning, upzoning may inspire non-profit housing developers to acquire parcels and redevelop them as multi-family condominiums, limited equity coops, and single-family homes with accessory units.

#### Best Practices and Case Studies

- Long Island Housing Partnership is planning the development of 32 homeownership units each with an accessory dwelling unit in North Bellport (NY).<sup>18</sup>

### *3B. Adopt tax incentives that reduce the costs of homeownership*

#### Implementation Steps

- Upon the advancement of any new development of sales housing (such as a cluster development near Summit Lake), work with Town of Claverack to opt into Section 457 Exemption for first-time homebuyers of newly constructed homes. (See Town of Ramapo resolution below.)
- Consider adoption of New York State Real Estate Tax Exemption 421-E for new or converted condo, coop, or rental buildings. (See Kiryas Joel tax code below.)

#### Best Practices and Case Studies

- The Town of Ramapo (NY) adopted a resolution in 2023 that allows for application of the Section 457 tax exemption to be used by first-time homebuyers.<sup>19</sup>
- Kiryas Joel (NY) includes provisions in its code for Tax Exemption 421-E.<sup>20</sup>

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<sup>18</sup> [https://longislandadvance.net/detail.html?sub\\_id=ab75e676b0](https://longislandadvance.net/detail.html?sub_id=ab75e676b0)

<sup>19</sup> <https://www.ramapo.org/page/news-7/news/introductory-local-law--first-time-homebuyers-property-tax-exemption-847.html>

<sup>20</sup> <https://ecode360.com/11011012#11011011>

## Policy 4: Improve Housing Conditions

### 4A. Adopt tax incentives for home improvements

#### Implementation Steps

- Adopt NYS RPL 421-f real property tax exemption (home improvement law) for capital improvements to Class 1 residential properties that are single-family or two-family buildings.

#### Best Practices and Case Studies

- Localities that have adopted the home improvement law include Portville<sup>21</sup>, Port Jervis<sup>22</sup>, Buffalo<sup>23</sup>, and Albany.<sup>24</sup>

### 4B. Provide financial support for home improvements and façade improvements

#### Implementation Steps

- Coordinate with Columbia County on the assignment of Community Development Block Grant monies toward housing rehabilitation assistance and façade improvement programs.
- Capitalize a fund for housing rehabilitation through the New York State Downtown Revitalization/ New York Forward initiative.

#### Best Practices and Case Studies

- In 2023, Dutchess County (NY) created a Senior Citizen Owner-Occupied Property Rehabilitation Program.<sup>25</sup>
- Kingston (NY) established a grant program with DRI monies that enabled low-income homeowners to receive financial assistance on the rehabilitation of their homes.<sup>26</sup>

### 4C. Optimize code enforcement process

#### Implementation Steps

- Establish a new tracking and communications platform that makes it easier, faster, and cheaper to monitor violations and ensure they have been remedied. (See example below from Elmira).
- Secure increased funding either from grants or fees to allow for more proactive code enforcement efforts involving additional staff and for the training of staff. (See grant secured by Town of Greece.)
- Streamline the development and alterations approval process (including evaluation of the Stretch Code's impacts) in order to make it easier to acquire distressed buildings and repair them.

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<sup>21</sup> <https://www.portvilleny.net/uploads/1/3/2/0/132023476/113.2008.pdf>

<sup>22</sup> <http://www.portjervisny.org/wp-content/uploads/2015/04/421f-Residential-Improvement-Application.pdf>

<sup>23</sup> <https://www.buffalony.gov/DocumentCenter/View/1477/Capital-Improvements-Exemption-Eligibility-Requirements-PDF?bidId=>

<sup>24</sup> <https://ecode360.com/7685121>

<sup>25</sup> <https://www.dutchessny.gov/Departments/Aging/Senior-Citizen-Owner-Occupied-Property-Rehabilitation-Program.htm>

<sup>26</sup> <https://engagekingston.com/dri-residential-rehab>

- Partner with the Columbia County Land Bank Corporation to acquire buildings that are distressed (as indicated by building violations, repair liens, tax delinquencies, and abandonment) and facilitate their rehabilitation and repair through either private developers or nonprofit housing development organizations including the Trillium Land Trust.

#### Best Practices and Case Studies

- The Town of Greece (NY) secured a grant from the Local Initiatives Support Corporation to redress ongoing issues with physical distressed zombie properties. The grant was allocated for the hiring of an additional code enforcement officer; foreclosure prevention services; and outreach initiatives.<sup>27</sup>
- Elmira, New York is one of several New York communities that uses BuildingBlocks, which is a data tool for Code Enforcement officers that enables real-time decisions on problem properties & owners.

#### ***4D. Improve administration of rental registry and expand its scope of functions to improve information on code enforcement and enhance landlord-tenant relations.***

##### Implementation Steps

- Coordinate with the assessors in the Town of Claverack and Columbia County to establish a way of generating an annual report of the buildings in Philmont that are actively renting units and also tracking the number of rented units within each building.
- Increase the rental registry participation rate from less than 50% to 100% by allocating additional budget and staff to monitor compliance; pay for the increase staff through the increased collection of fees.
- Revise the existing system's payment structure so that the inspection costs truly reflect the costs of inspection rather than the existing punitive structure based on penalties for repeated inspection failures.
- Use the code enforcement tracking technology as the same portal for tracking compliance with the rental registry (and the vacant property registry).
- Once the system is at full compliance and properly staffed, introduce additional elements into the registry process including model leases, training programs for both landlords and tenants, and tenant-landlord dispute resolution forums.

#### Best Practices and Case Studies

- Syracuse (NY) established their rental registry program in 2007 to guarantee the safety and adequate conditions of one and two-family non-owner-occupied rental units. In an attempt to increase property owner's compliance with the rental registration program, improve the city's housing stock quality, and improve tenant protections, Syracuse passed legislation in 2020 to prevent the initiation of formal eviction proceedings for nonpayment of rent for landlords who have not registered their rental properties.<sup>28</sup>

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<sup>27</sup> <https://greecenyc.gov/2016/10/13/town-of-greece-awarded-175k-grant-to-combat-zombie-properties/>

<sup>28</sup> <https://www.syracuse.com/news/2020/09/syracuse-lawmakers-ban-evictions-by-landlords-who-snob-citys-rental-registry.html>

- The City of Newburgh (NY) has a rental license program which includes several best practice provisions including a fee schedule based on property size and number of units and requirements for developing a process for tenant inquiries and complaints and documenting the status of fees, taxes and assessments.<sup>29</sup>

#### **4E. Improve administration of vacant property registry**

##### Implementation Steps

- Continue to monitor changes in the NYS Registry of Foreclosed Properties as a potential tool for managing zombie properties.
- Assess the legal viability of applying a cash bond and insurance requirement for properties registered under the Vacant Property Registry to provide the village with a funding source that would enable remediation of a distressed property either from the owner or the lender.
- Expand the application of the registry to include properties that are simply unoccupied (and not marketed for rent or held as vacation homes) for an extended period and not distressed. Alternatively, establish broader guidelines for distress so that broader number of vacant buildings are required to be registered, and not just those that have reached the point of requiring condemnation.

##### Best Practices and Case Studies

- Greece (NY) adopted vacant and abandoned property regulations in 2016 that required the owners or lenders of such properties to provide a cash bond that could then be used to remediate the property while it remained unoccupied.<sup>30</sup>
- Jamestown (NY) adopted a 19A building reuse program aimed at acquiring distressed properties and conveying them to new owners committed to their rehabilitation.<sup>31</sup>

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<sup>29</sup> <https://ecode360.com/32887227>

<sup>30</sup> <https://greeceny.gov/2016/02/19/supervisor-bill-reilich-proposes-toughest-vacant-and-abandoned-property-regulations-in-the-area>

<https://greeceny.gov/2016/10/05/greece-town-supervisor-bill-reilich-announces-the-early-success-of-recent-zombie-property-legislation/>

<https://blog.safeguardproperties.com/vpr-ordinance-california-illinois-new-jersey-new-york;>

<https://www.democratandchronicle.com/story/news/2016/02/19/greece-zombie-homes/80613226/>

<sup>31</sup> <https://wnynnewsnow.com/2022/11/30/several-tabled-jamestown-housing-programs-funded/>

<https://www.post-journal.com/news/local-news/2024/05/city-moves-forward-with-19a-properties-sale/>

<https://www.jamestownny.gov/department-of-development/19a-housing-rehabilitation-program/>

<https://www.jamestownny.gov/wp-content/uploads/2024/10/19A-Application.pdf;>

<https://www.post-journal.com/news/local-news/2024/05/city-moves-forward-with-19a-properties-sale>



## Policy 5: Incentivize Wider Variety of Housing Units

### 5A. Adopt building & zoning regulations that permit development of smaller units

#### Implementation Steps

- Consider revisions to the code that would allow for and incentivize the creation of efficient dwelling units (or micro-units) and congregant housing (private living areas with communal spaces).
- Modify the zoning code provisions on minimum lot size, set back requirements, and subdivision requirements to allow for the construction of smaller homes.

#### Best Practices and Case Studies

- Sustainable Development Code provides guidance and case studies on modifying building regulations in order to remove barriers to the creation of smaller living spaces that are more affordable and also responsive to a wider range of household types including households without children, seniors, and people living alone.<sup>32</sup> Additional best practice guidance on the development of smaller homes is available from the Urban Sustainability Directors Network<sup>33</sup>.

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<sup>32</sup> <https://sustainablecitycode.org/brief/varying-unit-sizes-within-multi-family-and-mixed-use-buildings/>

<sup>33</sup> <https://sustainableconsumption.usdn.org/initiatives-list/encouraging-development-of-smaller-homes>