

TOWN OF CORTLANDT

The Town of Cortlandt master plan indicates a commitment to future affordable housing development, though its recommendation for a 10 percent mandate does not appear to have been broadly implemented. The Town has achieved an excellent track record in creating affordable housing, belying its middling grade of C+ for the purposes of this analysis. This grade is due to the fact that the Town has not adopted the model ordinance, and demonstrates the value of creativity in meeting the intentions of the Settlement.

Model Zoning and County Benchmark

- The Town has not adopted the model affordable housing zoning ordinance.
- The unadopted Affordable Housing Allocation Plan produced in 2005 by the County's planning department called for approximately 400 affordable housing units in the Town. In the past twelve years, the Town has overseen the construction of approximately 200 affordable housing units, representing half of the benchmark – the highest number of FAH units and the second highest proportion of its obligation of the 31 municipalities subject to the Settlement. One development (Roundtop at Montrose) is responsible for nearly half of these units. Roughly 200 affordable housing units remain to be built to meet the unofficial benchmark.

Zoning Ordinance

- Multifamily housing and mixed-use buildings (residences above stores) are permitted as-of-right in one of the Town's 20 mapped zoning districts: the Highway Commercial / Multifamily (HC/9A). That district restricts multifamily housing to three- and four-family dwellings and to a maximum of two bedrooms per unit.
- The unmapped CBD special zoning district also permits multifamily housing as-of-right and includes the provision of affordable housing in its statement of purpose.
- Affordable senior housing is mandated in the special Existing Legal Non-conforming Senior Citizen Developments (LN/SCD) district.
- Cluster developments are permitted with the stated intention of providing additional affordable housing options.
- Accessory units are allowed by special permit in 13 districts, representing most of the Town.
- A Residential Reuse Special Permit (RRSP) may be issued to rehabilitate housing or replace existing multifamily housing, whether they are new multifamily units or existing apartments, Town homes, condominiums or even single-family homes (e.g., bungalows and non-conforming multifamily housing). The RRSP is intended to preserve a mix of housing types by replacing old multifamily and selective single-family developments with new multifamily developments.

Restrictive Practices

- Some of the multifamily housing is allowed at very low densities, less than three units per acre in one case, and up to ten bedrooms per acre in another case.
- Although accessory units are permitted by special permit in 13 of 14 residential districts (representing all but one multifamily district), in some districts a one-bedroom / two-occupant restriction forestalls the ability of families of three or more persons to be potential residents.

Incentives and Mandates

- There are no incentives or mandates for affordable housing in the HC/9A district.
- In the CBD special zoning district, however, at least 10 percent of the final unit count must be affordable. If a higher percentage of affordable housing is provided, density may be increased by a substantial 66 percent (from 3 units / 6 bedrooms per acre to 5 units / 10 bedrooms per acre).
- All senior housing units in an LN/SCD district must meet the Westchester County definition of affordability.
- In connection with an RRSP, the new housing may be developed at a density of up to 20 percent greater than the existing development, and all new units above the existing number of units must be affordable.

Zoning Map, Development Pattern and Development Potential

- Multifamily housing occupies 5.1 percent of the residential acreage; in addition, two- and three-family housing occupies 3.0 percent of total land area.
- The HC/9A district, the only mapped district in which multifamily housing is allowed as-of-right, covers slightly less than one percent of the Village's area. A substantial amount of land in the district is available for development, which could accommodate approximately 60 units. Development is, however, handicapped by the small size of the 11 potential sites (averaging between one and two acres each, and yielding an average of under four units per acre) and pre-existing industrial uses (which make housing less marketable and, assuming remediation is needed, more expensive). Furthermore, proximity to industrial use should be considered when determining whether a site is appropriate for affordable multifamily development.
- The CBD special zoning district has yet to be applied within the Town. Lots eligible for rezoning into CBD must contain at least 25 contiguous acres and must have at least 100 feet of frontage on a state highway, greatly restricting the number of sites that may qualify.
- At a value of roughly \$350,000 per apartment or condo unit, and an average cost of \$375,000 per unit for multifamily and condo development in the County, multifamily development with an affordable housing component would be problematic without zoning mandates and incentives, as well as without financial incentives or assistance, such as that provided by the County in connection with the Settlement.

Master Plan

- The Town's comprehensive plan, which dates to 2004, recommends creating an Affordable Housing Program and adopting inclusionary zoning regulations that require 10 percent of all new residential developments to be affordable units.

Implications

- Despite the Town's good record of providing affordable housing in recent years, the current zoning regime falls short of providing the opportunity to develop the 200 additional affordable units needed to meet the County's Affordable Housing Allocation plan benchmark, let alone 2,000 units should development proceed along the lines of the 90/10 mixed-income housing format (90 percent market-rate / 10 percent affordable) adopted by the Town.
- Ninety-two (92) of the 201 affordable units that have been created within Courtlandt are in the Roundtop at Melrose development. The Town's openness to this type of development is promising, but unless repeated, affordable multifamily housing production will remain rare without creative solutions and modest subsidies, such as those available from the County under the Settlement.
- In terms of creative solutions, the lower density options, such as quadrplexes, might be promising, as 99 percent of the Town's residential area is zoned for single-family housing. Accessory housing options also take advantage of the embedded investment in property (e.g., an individual property owner adding a unit to their house or detached garage, with no added cost for site preparation, site acquisition, etc), especially if such units were listed on a Countywide registry of FAH units.
- Even with additional Town actions, FAH housing will remain problematic without assistance from the County, in the form of financial subsidies and marketing assistance (such as the maintenance of a Countywide registry of FAH units).

CORTLANDT FACT SHEET

a. Total acreage of the Town	22,147 acres	100%
b. Total acreage in zoning districts where multifamily housing is permitted as-of-right	171.9 acres	0.8%
c. Undeveloped area in these zoning districts	24.7 acres	0.1%
d. Undeveloped area not subject to wetlands, floodplain and steep slopes	19.6 acres	0.1%
e. Order of magnitude area available for development*	15.7 acres	0.1%
f. Number of sites available for development	11 sites	
g. Average size of sites	1.4 acres	
h. Theoretical number of multifamily units that can be developed as-of-right	60 units	
i. Average selling price for multifamily (condo) units	\$350,000**	
j. Order of magnitude value for land, per condo unit	\$70,000	
k. Order of magnitude total cost of development, per condo unit	\$375,000	
l. Percent minority population (4.6% Black, 7.2% Latino)	12%	
m. Percent minority population in the zoning districts permitting multifamily housing as-of-right and containing available development sites (6.7% Black, 4.6% Hispanic)	11%	
n. Number of units needed to meet the 2000-2015 Allocation Plan benchmark	202 units	
2015 Allocation	403 units	
Number of units created since 2000	201 units	

* After applying a factor of 80 percent to account for irregular site configuration, setbacks, building form restrictions, and the like.

** Regional value employed where data was not provided for the municipality, employing the County's definition of North, Central and South for what is meant as region. Weighted averages were calculated using available data for each region.