

## TOWN OF SOMERS

- The Town has adopted portions of the model affordable housing zoning ordinance, providing mandates and incentives for affordable housing in some districts but not throughout the Town. The Town has made considerable progress towards fulfilling its benchmark obligation under the County's unadopted Affordable Housing Allocation Plan, with one-third of the more than 200 allocated units having been built. That still leaves an outstanding benchmark of 150 affordable units, however, which would translate into many hundreds of units in connection with mixed-income housing (e.g., about 1,000 units under an 85 percent market-rate / 15 percent affordable format, which represents the minimum affordable housing component for districts with affordable housing mandates under the Town's zoning ordinance). The Town contains a number of relatively large development sites in districts that permit multifamily housing as-of-right, which can theoretically accommodate 260 new multifamily housing units; however, almost three-quarters of these units would be in a district with no mandates or incentives for affordable housing. Alternative housing types, such as mixed-use development and accessory apartments, are permitted in some districts. Additional actions will probably be needed for the Town to satisfy its affordable housing benchmark obligation. These might include, in some combination, applying the affordable housing mandate to the Town as a whole, providing density or other incentives for affordable housing in a greater number of districts, mapping additional areas where multifamily housing is permitted as-of-right, reducing minimum lot sizes and relaxing other zoning requirements for affordable housing developments in some districts, reviewing and amending accessory apartment requirements, and providing opportunities for additional types of development (such as quadrplexes or cottage-style housing).

### **Model Zoning and County Benchmark**

- The Town has adopted portions of the model affordable housing zoning ordinance regarding the definition, distribution and resale of affordable units. Affordable housing units are mandated for multifamily senior housing and for other residential developments in selected districts, and zoning incentives are available for multifamily housing in other districts. However, mandates and incentives do not apply broadly throughout the Town. Also, the Town gives preference to Somers residents for affordable units.
- The unadopted Affordable Housing Allocation Plan produced in 2005 by the County's planning department called for 224 affordable housing units in Somers, of which a third (74 units) have been built in the interim, leaving a balance of 150 units.

### **Zoning Ordinance**

- Multifamily housing is permitted as-of-right in seven of 16 zoning districts.
- Mixed-use development (i.e., residences above stores) is permitted as-of-right in four zoning districts.

- Two-family dwellings are prohibited in the Town. Multifamily dwellings are defined as buildings containing three or more dwelling units.
- Accessory apartments are permitted in 10 zoning districts, on single-family lots only.

#### **Restrictive Practices**

- Two-family dwellings are prohibited in the Town.
- The minimum lot area in the Multifamily Residence Baldwin Place (MFR-BP) district and the Multifamily Residence Hamlet (MFR-H) district is 10 acres.
- The MFR-BP district restricts development to a maximum of three density units per acre. A density unit may consist of two four-bedroom units, three three-bedroom units, four two-bedroom units, five one-bedroom or efficiency units, or some combination of the above. While this does not restrict multifamily housing, it encourages smaller units and may not provide enough total units to meet the Town's need for affordable housing.
- The MFR-H district restricts development to a maximum of two density units per acre.

#### **Incentives and Mandates**

- In the MFR-BP, MFR-H, Neighborhood Shopping (NS) and Business Historic Preservation (B-HP) districts, at least 15 percent of the base permitted density units in a development must be affordable.
- Multifamily senior housing developments must contain no less than 10 percent affordable income units.
- In the MFR-BP district, the base number of density units may be increased by up to 50 percent if the development includes more than the required affordable component. One additional market-rate unit may be developed for each affordable unit in excess of the required 15 percent of the base permitted density units, but not to exceed a maximum increase of 20 percent in the number of market-rate units.
- In the NS district, if at least 50 percent of units in a development are affordable, the Town Board may permit a floor area ratio (FAR) increase up to 50 percent, a reduction in the number of required parking spaces, and/or an increase in building height to three stories or 50 feet.
- Density bonuses of up to 10 percent may be awarded in Designed Residential Developments if in the Town Board's judgment particular social, cultural, environmental, physical or economic needs of the community are to be served or substantial benefits are to be derived.

#### **Zoning Map, Development Pattern and Development Potential**

- Eleven areas are mapped in districts that permit multifamily housing as-of-right, including 7 percent of the Town's land area.
- Nine available development sites, averaging eight acres in size, have been identified in these areas. The sites can cumulatively accommodate an estimated 260 housing units.
- Of this total, 72 units could be accommodated in zoning districts (B-HP and NS) that mandate an affordable income component, including 53 units in the NS

district, which also provides zoning incentives for a development that is at least 50 percent affordable. The other 188 units could be accommodated on sites in the Planned Hamlet (PH) district, which provides no mandates or incentives for affordable housing.

- Only 0.37 percent of the Town's total land area is currently occupied by multifamily housing. An additional 0.5 percent of the total land area is currently occupied by two- and three-family housing.
- The estimated average price of a condo unit in Somers (\$352,000) is below the estimated cost of development of a condo unit (\$375,000), an adverse spread that reduces the likelihood of new multifamily housing development, particularly on small sites where economies of scale are not possible, and greatly reduces the likelihood that affordable multifamily units would be built without subsidies.

#### **Master Plan**

- The interim working draft of the Town comprehensive plan was released in December 2005. The Town Board has not adopted the plan. The draft plan recommends committing to building 25 affordable units per year for 10 years, reviewing and amending accessory apartment requirements, establishing intergovernmental agreements and partners to share expenses and providing zoning and subdivision relief for smaller lot solutions.

#### **Implications**

- The Town has adopted portions of the model affordable housing zoning ordinance, providing mandates and generous incentives for affordable housing in some districts but not throughout the Town.
- The Town has made considerable progress towards fulfilling its benchmark obligation under the County's unadopted Affordable Housing Allocation Plan, with one-third of the more than 200 allocated units having been built.
- That still leaves an outstanding benchmark of 150 affordable units, however, which would translate into many hundreds of units in connection with mixed-income housing (e.g., about 1,000 units under an 85 percent market-rate / 15 percent affordable format, which represents the minimum affordable housing component for districts with affordable housing mandates under the Town's zoning ordinance).
- Multifamily housing is permitted as-of-right in seven of the Town's zoning districts, but certain of these districts have very large minimum lot areas and low maximum densities.
- The Town contains a number of sizeable development sites in other districts that permit multifamily housing as-of-right, which can theoretically accommodate 260 new multifamily housing units; however, almost three-quarters of these units would be in a district with no mandates or incentives for affordable housing, which greatly reduces the likelihood that many of the units would be affordable.
- The estimated average price of a condo unit in Somers is below the estimated cost of development of a condo unit in Westchester County, an adverse spread that reduces the likelihood of new multifamily housing development, particularly on small sites where economies of scale are not possible, and greatly reduces the likelihood that affordable multifamily units would be built without subsidies.

- Alternative housing types, such as mixed-use development and accessory apartments, are permitted in some districts.
- Additional actions will probably be needed for the Town to satisfy its affordable housing benchmark obligation. These might include, in some combination, applying the affordable housing mandate to the Town as a whole, providing density or other incentives for affordable housing in a greater number of districts, mapping additional areas where multifamily housing is permitted as-of-right, reducing minimum lot sizes and relaxing other zoning requirements for affordable housing developments in some districts, reviewing and amending accessory apartment requirements, and providing opportunities for additional types of development (such as quadraplexes or cottage-style housing).
- 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).

## SOMERS FACT SHEET

a. Total acreage of the Town	20,583 acres	100%
b. Total acreage in zoning districts where multifamily housing is permitted as-of-right	1,499 acres	7.3%
c. Undeveloped area in these zoning districts	94.6 acres	0.5%
d. Undeveloped area not subject to wetlands, floodplain and steep slopes	92.3 acres	0.5%
NS	8.22 acres	
PH	81.08 acres	
B-HP	3.04 acres	
e. Order of magnitude area available for development*	73.9 acres	0.4%
NS	6.58 acres	
PH	64.87 acres	
B-HP	2.43 acres	
f. Number of sites available for development	9 sites	
g. Average size of sites	8.2 acres	
h. Theoretical number of multifamily units that can be developed as-of-right	260 units	
NS	53 units	
PH	188 units	
B-HP	19 units	
i. Average selling price for multifamily (condo) units	\$352,000**	
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 (1.7% Black, 3.0% Hispanic)	5%	
m. Percent minority population in the zoning districts permitting multifamily housing as-of-right and containing available development sites		
NS	0.3% Black, 3.0% Hispanic	3%
PH	2.3% Black, 4.8% Hispanic	7%
B-HP	0.5% Black, 0.8% Hispanic	1%

n. Number of units needed to meet the 2000-2015 Allocation Plan benchmark		150 units
2015 Allocation	224 units	
Number of units created since 2000	74 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.