

## TOWN OF YORKTOWN

The Town has adopted the model affordable housing zoning ordinance. The Town has some restrictions on housing typologies. Accessory units are not permitted as-of-right anywhere in the Town, and mixed-use development is permitted only in one district. Also, one of the three districts in which multifamily housing is permitted as-of-right is reserved for housing for older adults. There are mandates for affordable housing development, but no clear incentives. The Town has made considerable progress towards fulfilling its affordable housing obligation; 169 affordable housing units have been built, which is nearly half of the Town's benchmark obligation under the County's unadopted Affordable Housing Allocation Plan. That is by far the largest number of affordable housing units that have been built in any of the municipalities covered by the Settlement, but it still leaves a balance of 209 units, which would translate into many hundreds of units in connection with mixed-income housing (e.g., approximately 1,300 units under an 85 percent market-rate / 15 percent affordable format, which represents the minimum affordable housing component for larger multifamily developments under the Town's zoning ordinance). Although the Town can theoretically satisfy its remaining benchmark allocation under current conditions, additional actions may be needed. These might include, in some combination, mapping additional areas where multifamily housing, particularly non-age-restricted multifamily housing, is permitted as-of-right; providing density or other zoning incentives for affordable housing; relaxing minimum lot size requirements and other zoning restrictions for affordable housing; permitting accessory housing units as-of-right (especially if they were allowed in accessory buildings, such as existing or "faux" garages); and providing additional opportunities for mixed-use development, as recommended in the Town's comprehensive plan.

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

- The Town has adopted the model affordable housing zoning ordinance.
- The unadopted Affordable Housing Allocation Plan produced in 2005 by the County's planning department called for 378 affordable housing units in Yorktown, of which close to half (169 units) have been built in the interim. That is by far the largest number of affordable housing units that have been built in any of the municipalities covered by the Settlement, but it still leaves a balance of 209 units.

### **Zoning Ordinance**

- Multifamily housing is permitted as-of-right in three of the 12 residential districts (out of a total of 31 zoning districts): the Multifamily Residential (R-3) district, the Residential Medium-Density (R-3A) district and the Age-Oriented Geriatric Community (RSP-1) district. Multifamily housing is allowed by special permit in nine additional zoning districts, but is generally restricted to either senior housing or conversion of existing properties.
- Mixed-use development (i.e., residences above stores) is permitted in one zoning district.

- Two-family dwellings are permitted as-of-right in three zoning districts. They are allowed by special permit in eight additional zoning districts but are restricted to conversion of existing properties.
- Accessory apartments are not permitted as-of-right. They are allowed by special permit in all residential districts.

#### **Restrictive Practices**

- One of the three districts allowing multifamily housing, the RSP-1 district, restricts development to housing for older adults.
- In the RSP-1 district, the minimum lot size is 15 acres.
- Accessory housing units are not permitted as-of-right anywhere in the Town.

#### **Incentives and Mandates**

- At least 10 percent of the units in any new residential subdivision of land in any single-family zoning district shall be established as fair and affordable housing units (AHUs).
- At least 10 percent of the units of any new multifamily residential development of 30 units or less in any multifamily residential zoning district shall be established as AHUs, and at least 15 percent of the units of any new multifamily residential development of 31 units or more in any multifamily residential zoning district shall be established as AHUs.
- Affordable housing developments are entitled to an expedited review process, in accordance with the model affordable housing zoning ordinance.
- No density or other zoning incentives are provided for affordable housing developments.

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

- Eight areas, including 2 percent of the Town's land area, are mapped within zoning districts that permit multifamily housing as-of-right.
- Eight available development sites have been identified in these areas, which could accommodate a total of 479 new housing units.
- More than 90 percent of the potential new housing units would be on sites within the RSP-1 district, where development is restricted to housing for older adults.
- Approximately 2.5 percent of the Town's total land area is currently occupied by multifamily housing. An additional 0.2 percent of the total land area is currently occupied by two- and three-family housing.
- The estimated average price of a condo unit in Yorktown (\$215,000) is well 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 most recent comprehensive plan was adopted in 2010. The plan recommends requiring all new residential development to include some percentage of homes at levels affordable to low- and moderate-income families.

The plan suggests partnering with non-profits and seeking grant funding to provide ownership units at below-market prices. The plan also recommends expanding mixed-use development.

### **Implications**

- Since 2000, Yorktown has created 169 new affordable housing units, approximately 45 percent of County's (unadopted) affordable housing benchmark of 378 units. That is by far the largest number of new affordable housing units that have been built in any of the municipalities covered by the Settlement.
- To satisfy Yorktown's benchmark allocation, more than 200 additional affordable units must be built, which would translate into many hundreds of units in connection with mixed-income housing (e.g., approximately 1,300 units under an 85 percent market-rate / 15 percent affordable format, which represents the minimum affordable housing component for larger multifamily developments under the Town's zoning ordinance).
- Within districts that allow multifamily housing as-of-right, development sites have been identified that have a cumulative capacity to accommodate 479 new multifamily units. Theoretically, if all of these sites were developed and all of the units were affordable, the capacity is large enough to satisfy the Town's remaining benchmark obligation. The capacity is insufficient, however, for mixed-income development on these sites alone to satisfy the benchmark obligation.
- Most of that new housing capacity is associated with sites in a zoning district that restricts development to housing for older adults, which would preclude affordable housing for families or young people.
- Low housing prices in the Town indicate a low profit margin for developers of multifamily housing. Some financial incentives would likely be required to encourage affordable housing development.
- Restrictions on as-of-right development of accessory housing and mixed-use projects limit the ability to provide affordable housing through these means.
- Although the Town can theoretically satisfy its remaining benchmark allocation under current conditions, additional actions may be needed. These might include, in some combination, mapping additional areas where multifamily housing, particularly non-age-restricted multifamily housing, is permitted as-of-right; providing density or other zoning incentives for affordable housing; relaxing minimum lot size requirements and other zoning restrictions for affordable housing; permitting accessory housing units as-of-right (especially if they were allowed in accessory buildings, such as existing or "faux" garages); and providing additional opportunities for mixed-use development, as recommended in the Town's comprehensive plan.
- Even with additional Town actions, FAH housing may be 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).

## YORKTOWN FACT SHEET

a. Total acreage of the Town	25,186 acres	100%
b. Total acreage in zoning districts where multifamily housing is permitted as-of-right	386.5 acres	1.5%
c. Undeveloped area in these zoning districts	68.8 acres	0.3%
d. Undeveloped area not subject to wetlands, floodplain and steep slopes	50.0 acres	0.2%
R-3 (Multifamily Residential)	4.18 acres	
RSP-1 (Age-Oriented Community)	45.79 acres	
e. Order of magnitude area available for development*	40.0 acres	0.2%
R-3 (Multifamily Residential)	3.34 acres	
RSP-1 (Age-Oriented Community)	36.63 acres	
f. Number of sites available for development	8 sites	
g. Average size of sites	5.0 acres	
h. Theoretical number of multifamily units that can be developed as-of-right	479 units	
R-3 (Multifamily Residential)	40 units	
RSP-1 (Age-Oriented Community)	439 units	
i. Average selling price for multifamily (condo) units	\$215,000**	
j. Order of magnitude value for land, per condo unit	\$ 32,000	
k. Order of magnitude total cost of development, per condo unit	\$375,000	
l. Percent minority population (3.0% Black, 5.8% Hispanic)	9%	
m. Percent minority population in the zoning districts permitting multifamily housing as-of-right and containing available development sites		
R-3	2.6% Black, 6.6% Hispanic	9%
RSP-1	0.5% Black, 1.8% Hispanic	2%
n. Number of units needed to meet the 2000-2015 Allocation Plan benchmark	209 units	
2015 Allocation	378 units	
Number of units created since 2000	169 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.