

CITY OF ONEONTA
COMPREHENSIVE HOUSING PLAN



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EXECUTIVE SUMMARY

The Housing Task Force has developed a plan that would add to and strengthen the 2007 Oneonta Comprehensive Plan. This proposed plan provides the City with a framework for a proactive approach to dealing with current and future housing needs and opportunities.

Although the 2007 Plan addressed housing issues and contains suggested action items, the Task Force, in consultation with groups of residents, worked to identify root causes of Oneonta's housing challenges. By focusing on underlying causes that have hampered housing development, redevelopment and rehabilitation in the City, the Task Force has developed strategies to improve housing quality, availability and affordability.

The current underlying issues as identified by the Housing Task Force are:

1. Quality of housing stock is not being maintained
2. Few affordable rentals exist across all income levels
3. Community and government obstacles to housing initiatives exist
4. A lack of availability of funding to support housing initiatives
5. Vacant floors in downtown buildings and vacant houses in residential neighborhoods are a hazard to the safety of City residents, have a blighting effect on neighborhoods and are a serious risk to neighborhood properties.

As an addendum to the 2007 Comprehensive Plan, this Housing Plan proposes strategies which will allow the City to manage the housing aspects of its future more effectively and holistically.

Recommendations that the Housing Task Force considers pivotal and are part of the Plan include:

- Improving land use review procedures to assure timely and objective decisions
- Creating a communication strategy to ensure that broad access to housing information is available with specific initiatives designed to reach key audiences

- Expanding existing enforcement programs targeting vacant properties so that safety, building stabilization and neighborhood blighting issues can be addressed
- Working with similar-sized upstate communities that have downtown areas with underutilized upper floors to address potential revision of State codes to make reuse of upper floors affordable
- Developing a formula and plan to enable the City to contribute to infrastructure expansion and/or tax breaks for rental property improvement or development
- Exploring a partnership with Housing Visions Inc. to identify and develop affordable housing options for working families and seniors
- Creating a menu of incentives for those purchasing houses in need of extensive repair/rehabilitation
- Setting priorities for the Code Enforcement Office that focus on property maintenance

Given the current attention being focused on proposed housing initiatives in Oneonta, it is important that a cohesive housing plan and framework be in place as soon as possible. Such a plan can, and will, contribute to providing direction and guide the development of strategies needed to protect and preserve the character of the City as well manage its future development.

INTRODUCTION

The Comprehensive Housing Plan 2013 provides a framework to assure that viable, affordable and accessible housing options are available in the City of Oneonta.

The City's 2007 Comprehensive Plan revealed two (2) pivotal factors that impacted the deliberations of the Housing Task Force:

1. Over 65% of the housing stock in Oneonta was built before 1939 affecting concurrent issues of maintenance and code compliance.
2. A majority (57.2%) of occupied homes in Oneonta are rentals - many of which are student occupied; a fact that directly contributes to market forces which are seemingly out of balance with the housing needs of the rest of the community.

In addition, long term residents, especially the elderly, are unable to maintain their large homes and viable alternatives for housing that better meet their current life style are not available. Families are unable to find living spaces to meet their needs and both public and private employers report that their employees are increasingly hard pressed to find affordable housing within the City of Oneonta.

The context for the Comprehensive Housing Plan is to create an environment that actively supports:

- proactive implementation and management of defined housing initiatives
- development of affordable and market rate residential properties
- rehabilitation of substandard housing
- aggressive promotion of properties within the City to potential buyers and renters

An integral part of achieving this vision relies on proactively addressing five (5) concurrent issues presently inhibiting housing revitalization and related economic development. These issues, to be given priority by the City, include

:

- 1.The quality of the housing stock is not being maintained
- 2.Few affordable rentals exist across all income levels
- 3.Community and government obstacles to housing initiatives exist
- 4.A Lack of availability of funding to support housing initiatives
- 5.Vacant structures are a health and safety hazard to the residents

Each issue and related goal is framed by a contextual statement followed by recommendations and specific strategies that could lead to the desired outcomes. The three basic principles that set the direction for these actions are: (1) affordability and choice; (2) preservation and development; and (3) municipal leadership that promotes improved housing options in Oneonta

In addition, there are several reoccurring themes evident throughout the document that relate to the need for an improved service demeanor for all City Departments. There is need to:

- provide a “welcoming” rather than a “resistant” approach to change and development
- ensure accountability so that projects move ahead in a timely manner
- expand accessibility to information through a wide range of use friendly digital and traditional media venues
- enhance incentives to promote housing rehabilitation and development to assure residential health and safety
- establish priorities for code enforcement

Following in the footsteps of the 2007 Comprehensive Plan, the adoption of the 2011 Zoning Task Force Report and the 2011 City Charter Revision, a Housing Task Force was established in February 2012 subsequent to a City-wide Housing Summit. Initially the Housing Task Force was asked to focus on owner-occupied dwellings, the 2nd and 3rd floors on Main Street, non-student rentals, senior housing, and vacant properties. After a series of sub-group and Task Force meetings, it became apparent that those initial focus areas may not represent the underlying issues affecting the quality and quantity of housing in the City. “A clear understanding of the

root causes of your community’s housing challenges is essential for helping to set specific goals and make recommendations as to how these primary issues might be addressed.”¹

“While it may be harder to develop and implement, a comprehensive housing strategy is more likely to have a major impact than a narrowly focused one.”² Consistent with that premise, the Task Force identified the five issues indicated on the previous page.

¹ HousingPolicy.org “Building A Strategy - Setting Goals” p.2 (see Section 4, p. 5-7 for additional rationale

² Ibid. p.1

ISSUE: QUALITY OF HOUSING STOCK IS NOT BEING MAINTAINED

GOAL: CREATE INITIATIVES FOR UPGRADING HOUSING STOCK

Identified Needs/Concerns:

Within the City of Oneonta there are a great many older houses and very little new housing construction. Maintenance of older homes is expensive. Senior citizens living in older houses are often unable to afford the necessary maintenance and unable to do it themselves.

The Office of Code Enforcement and the city codes are focused on rental properties more than on single family dwellings.

The current housing stock is attractive to student rental landlords, as the buildings are large and can house several apartments. While the City tries to ensure that basic codes are being met, student tenants are often accepting of lower levels of maintenance and care.

Area median income and lack of good paying jobs does not allow for enough disposable income to purchase, repair and maintain the existing housing stock.

Recommendations:

- 1) Create incentives for upgrading houses
 - a) Provide tax break(s)
 - b) Award cash/prizes for specific categories (e.g. best landscaping)
 - c) Using the City website, establish list of landlords, identifying code violators as well as those on “A” list.
 - d) Increase fines for lack of maintenance.
 - e) Publish list of 10 “worst” landlords.
 - f) Develop a point system for defining “shabbiness” (e.g. 5 points for graffiti) and establish a “point level” at which fines can be levied.
 - g) Have students and other tenants evaluate their landlords.

- 2) Increase enforcement.
 - a) Be specific about items that require exterior property maintenance.
 - b) Add new codes to specifically require property maintenance
 - c) Look at improving the efficiency of the Code Enforcement Office or increase personnel as needed.
 - d) Review codes to ensure that they specifically address property maintenance (e.g. painting, repair of missing/broken siding, shutters, and windows).
 - e) Preserve architectural character of the Center City neighborhood.

 - 3) Create a program(s) that incentivizes the sale and purchase of houses that need maintenance.
 - a) PILOT programs
 - b) Enhance cooperation between large employers and real estate companies
 - c) Have Code Enforcement focus on houses in “rough shape”
 - d) Consider eminent domain opportunities
 - e) Initiate special set of incentives for the approximately 20 properties identified as being in “Very Poor” condition.

 - 4) Create a tenants’ advocacy program to include information and educational outreach components.
 - a) List landlords on the City website and distribute information through colleges as well as rental agencies.

 - 5) Review tax policy. Consider tax incentives (exemptions) for those making improvements to houses.
 - a) Consult with tax expert(s) to devise a plan utilizing tax incentives for those who improve their properties
 - b) PILOT programs similar to Bresee’s
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- 6) Explore feasibility of “first time” homeowners program targeting houses in need of repairs.
Develop a database of houses meeting criteria.
 - a) Explore options for those people qualifying for program but not qualifying for a mortgage

- 7) Develop an employer assisted housing program with ties to home improvement/maintenance upgrade criteria.
 - a) Initiate conversations with IoXus, Bassett Healthcare, A.O. Fox Hospital, Hartwick College, Springbrook, and SUNY Oneonta.

- 8) Create menu of public/private funding availability to help maintain and improve housing stock.

- 9) Have the City, rather than the County, take possession of houses for non-payment of taxes.
This would effectively give the City more control and decisions about re-use of property in that context.

- 10) Optimize the effectiveness and efficiency of the Code Enforcement Office.
 - a) Consider sharing personnel with other municipalities
 - b) Hiring temporary employees (emphasizing inspections during December, January, June and August).

- 11) Aggressively monitor Code compliance.

- 12) Develop a comprehensive check-list to serve as a tool for self-certification with severe penalties if non-compliance is determined.

ISSUE: FEW AFFORDABLE RENTALS EXIST ACROSS ALL INCOME LEVELS

GOAL: INCREASE THE INVENTORY AND AVAILABILITY OF RENTAL UNITS ACROSS THE INCOME SPECTRUM

Identified Needs/Concerns:

Student rentals drive the rental market and are more lucrative for landlords. The quality of the current housing stock is not attractive to higher income professional renters although rental rates remain high. Too few family oriented apartments are available to families largely because of the student market.

In addition, low income families need subsidized housing. Currently, there is a backlog of renters on waiting lists in existing complexes. The area median income makes it almost impossible for lower income individuals/families to find reasonable housing at affordable prices. Better paying jobs in the area are critical to the economic viability of the City.

Recommendations:

- 1) Identify properties at all rental levels.
 - a) Create and maintain a publicly accessible central rental registry containing information such as street address, owner's name, local agent if absentee owner, principals of corporation, out-standing violations reports, etc.
 - b) Make public those properties with serious code violations by means of, but not limited to, local newspapers and the internet.

- 2) Facilitate new development of rental properties.
 - a) Maintain the City Zoning Code as it now exists. Restrict:
 - i) any attempts to amend the Code which may curtail development
 - ii) zoning variances that reduce the availability of vacant land for housing development.
 - b) On the City's website, maintain and update regularly, a listing of all available and underutilized land. Include property location, tax and aerial map, owner's name and

- contact information and location of available utility lines and roads as well as City's upfront offer of its' intended contribution to infrastructure development, code violations, and City contact person.
- c) Provide easy public access to information about the locations, density limits, off street parking requirements etc. for the areas of the City that the Zoning Code permits the division of existing residential buildings. *See also Issues "Obstacles to Housing Initiatives", "Lack of Funding Availability", "Standards of State Building Code."*
- 3) Ensure that oversight of student rental units, with emphasis given to safety, over-occupancy, zoning and general maintenance, is a mandated top priority for the Code Enforcement Office.
- 4) Owners of housing rental units found to be in violation of codes should be fined substantially with violations noted in a City sponsored rental property registry (see first bullet). Additionally, properties with recent violations should be inspected annually by Code Enforcement officials until three consecutive inspections yield no violations.
- a) Automated systems should be installed as part of the City's system to ensure routine follow-up and documentation by Code Enforcement.
- b) Have the City Manager set specific priorities for Code Enforcement.
- 5) Initiate annual informational sessions that target realtors, developers and Council Members regarding zoning, housing and building codes.
- 6) Provide incentives, and disincentives, to landlords for making family and other long-term rentals available.
- a) Disincentives might include:
- i) requiring more off-street parking for short-term rentals (less than 12 months) than for long-term rentals of more than 12 months
- ii) adding a "drop dead" date (2022??) for existing student housing that are grossly lacking in off-street parking relative to the number of permitted residents
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- iii) require legally occupied student rentals with more than 3 students in a dwelling unit to upgrade the safety level of those units by installing sprinklers, fire-rated separations, and/or improved means of egress (should be done regardless of whether or not the cost is a disincentive in this context).
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- 7) Consider creating a rental housing licensing program.

 - 8) Promote the construction of new on-campus student housing at both SUNY Oneonta and Hartwick College.

 - 9) Facilitate redevelopment of vacant and underutilized buildings for housing

ISSUE: COMMUNITY AND GOVERNMENT OBSTACLES TO HOUSING INITIATIVES EXIST

GOAL: PROACTIVELY IDENTIFY AND EFFECTIVELY MANAGE OBSTACLES TO HOUSING INITIATIVES

Identified Needs/Concerns:

The City's critical need for housing should be the basis for a broad range of new policies and the City's readiness to welcome new housing proposals should be promoted as widely as possible.

An examination of specific facts and events that led to the pre-construction termination of several viable housing construction initiatives during the past few decades should provide an in-depth understanding of shortcomings and handicaps that need to be confronted as the City prepares for consideration of future construction proposals.

The following obstacles need to be overcome:

- the difficulty that elected and appointed officials face when confronted with small but potent factional opposition to housing projects authorized by the zoning code
- the use of stalling and other evasive methods by land use review boards and City departments as a means of denying pending projects
- prohibitive construction costs imposed by land use review stipulations and applicable state and local building codes
- the difficulty in accessing and understanding local codes

Recommendations

- 1) Improve land use review procedures to ensure objectivity and timely decisions.
 - a) Maintain current policy that elected officials will create land use policy and non-elected boards and commissions will continue to implement that policy as it relates to specific properties.
 - b) Review and revise criteria for recruitment, selection and retention of Commission and Board members with an eye toward relevant experience and diversity.

- c) Require, provide and ensure increased, and more effective, training for Planning Commission, Zoning Board of Appeals, Board of Assessment Review, Board of Public Service members, elected officials and city employees so that they are better equipped to deal with ethical issues. Training will include, but not be limited to dealing with conflicts of interest, standards for objective decision-making, timely decision-making, and politically charged pressure.
- d) Appoint alternate Commissioners (as allowable) to Planning Commission, Zoning Board of Appeals and Board of Public Service to insure a full complement of voting members. Increase the numbers of Board of Public Service members from five (5) to seven (7).
- e) Designate one City employee as the person responsible and accountable for the City's role in advancing new housing projects and the substantial conversion of existing buildings to new housing. Relegate to that person the supervisory authority to ensure that, with regard to all city employees and appointees, each of their project-related functions are carried out at the highest level and that the City's need for housing is recognized as a paramount community need.
- f) Create guidelines to ensure that Code Enforcement, Engineering and Assessor's Offices provide more specific, in-depth analysis and factual background information regarding code issues for each case coming before Commissions and Boards. Guidelines should include a listing of types of information to be provided and under what circumstances the information is required (e.g. historical use information regarding grandfathering claims; lot size information regarding density issues etc).
- g) To insure timely action, establish schedules to provide applicants with all information necessary to submit final applications.
- h) Schedule and list on the public calendar, a potential second meeting each month for Planning, ZBA and BPS.
- i) Task Chairs of each Board and Commission to meet with Department Heads to develop guidelines unique to their situations as required.

- 2) With regard to the development of new housing and modifications to existing housing, ensure that information about pertinent city policies, land use review procedures and available funding and financial incentives is easily accessed by the general public by:
 - a) Creating a communication strategy by the City with specific initiatives designed to reach key audiences including, but not limited to homeowners, renters, landlords, developers and students. This strategy shall include, at minimum:
 - i) a page on the City of Oneonta website devoted exclusively and comprehensively to housing issues. Links to the following information will be placed on this page:
 - (1) procedures for obtaining building permits, zoning variances, site plan reviews and special use permits
 - (2) detailed procedural information about the operation of the ZBA and Planning Commission
 - (3) all application materials pertinent to housing and related instructions
 - (4) City Zoning Code (as searchable copy) and the City's Comprehensive Plan
 - (5) FAQ documents for homeowners, renters, students and landlords
 - (6) Listing of all available incentives, grants, loan programs, etc. with eligibility criteria and application procedures
 - b) Providing applicants for permits, variances etc. with all above information and clear and complete references to their specific applicable section(s) of code.
 - c) Expanding the City of Oneonta's Facebook page by link to include information for renters, including:
 - i) rental property owner and local agent contact information
 - ii) history of landlord violations
 - iii) tenant and landlord rights and obligations
 - iv) legal obligations of tenants regarding use of property (household trash storage, parking on lawns, etc.)
 - v) current violations by address
 - vi) number of unrelated individuals permitted by dwelling unit
 - vii) ratings of rental property owner by tenants
 - viii) availability of local tenant/landlord dispute resolution service

- ix) City policies regarding confidentiality of tenant and neighbor complaints
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- 3) Devise a revenue neutral formula reflecting the City's contribution to infrastructure development to support new housing development. Through the use of bonds, the City should be able to cover costs over a fixed period of time as a result of increased tax revenue.

ISSUE: LACK OF AVAILABILITY OF FUNDING TO SUPPORT HOUSING INITIATIVES

GOAL: INCREASE OPPORTUNITIES AND INCENTIVES TO IMPROVE QUALITY AND AVAILABILITY OF RENTAL AND SINGLE FAMILY HOUSING UNITS

Identified Needs/Concerns:

The local average median income is significantly below the state average. The limitations on what local residents can pay for housing discourages investment in local housing. While the City provides some minimal incentives to potential developers, a more proactive stance which encourages and supports private investment is essential to future growth in housing. Such support, including grant applications and the provision of other resources, must be securely grounded and tied to the planned implementation of a strategic housing vision thus ensuring that stated goals are met.

Recommendations:

- 1) Develop a formula and plan which will enable the City to contribute to infrastructure expansion (e.g. water, sewer, road) and/or tax breaks for rental property improvement or development. *See “Obstacles to Housing Initiatives Exist” issue material.*
- 2) Develop a long-term strategic funding plan that would identify grants and public and private opportunities within the context of the City’s housing vision and the goals set forth in this report.
- 3) Explore partnering with Housing Visions, Inc. to identify and work toward transforming select buildings/areas into neighborhoods that provide safe, secure, quality housing for mid-to-low income working families and senior citizens.
 - a) A committee consisting of representatives of the Housing Task Force and appointees of the Mayor should immediately begin this process.

- 4) Create a menu of tax incentives/abatements for those purchasing housing in need of extensive repair/rehabilitation.
- 5) Consider creation of a City Development Authority.
- 6) Take back properties seized for non-payment of taxes.
- 7) Develop opportunities for individuals/entities to invest locally in housing initiatives.

ISSUE: VACANT FLOORS IN DOWNTOWN BUILDINGS AND VACANT HOMES IN RESIDENTIAL NEIGHBORHOODS ARE A HAZARD TO THE SAFETY OF CITY RESIDENTS, HAVE A BLIGHTING AFFECT ON NEIGHBORHOODS, AND ARE A SERIOUS FIRE RISK TO NEIGHBORING PROPERTIES.

GOAL: MINIMIZE THE SAFETY RISKS ASSOCIATED WITH VACANT PROPERTIES BY ENFORCING CODES APPLICABLE TO VACANT BUILDINGS AND BY PROMOTING RE-OCCUPANCY

Identified Needs/Concerns:

There is enough existing, vacant and underutilized, building space in the downtown area for the creation of 100 to 200 new dwelling units. The cost of such renovation has been prohibitive. In residential neighborhoods there has been an increase in the number of vacant residences and in the deterioration of vacant residential buildings.

The cost of complying with some of New York State building code requirements for construction of new dwelling units in vacant and underutilized space discourages developers from proceeding with construction. The level of safety that would be achieved in the construction of new dwelling units in vacant and underutilized space by the requirements of NYS building code far exceeds the current level of safety that exists in existing downtown housing and most housing in the area.

The continued existence of vacant and underutilized 2nd and 3rd floor space in the downtown area already represents a significant fire hazard to the occupants of existing downtown apartments and to the historic, community valued, and taxable architecture of the downtown buildings. This current situation should be recognized as untenable.

Recommendations:

- 1) Identify all vacant properties.
- 2) Review and modify as appropriate City Code 86-20 that addresses registration of vacant property. Ensure that the registration form required by the City Engineer is current.

- 3) Establish a registration fee for all vacant properties if none exists and/or raise costs of non-compliance. (Consider using a collection agency to collect administrative fee(s) issued in conjunction with non-compliance findings).
- 4) Initiate a health/safety inspection program for vacant properties to be conducted by a qualified professional with attendant fees to be charged to owners.
- 5) Expand existing enforcement programs targeting vacant properties to assure safety, building stabilization, and prevention of neighborhood blighting. Require: fire alarms audible outside the vacant building; clean windows; heat above freezing; roofs that don't leak; foundations in good repair; doors and windows locked against unauthorized entry.
- 6) With regard to downtown buildings, do the research to determine how some requirements of the State code can be waived or modified to achieve an equal or higher level of safety than is required, but at a lower cost. Analyze the cost to benefit advantage/disadvantage of each State building code requirement for reuse of the downtown vacant/underutilized spaces. Systematically review a representative sampling of vacant and underutilized upper floors in the downtown area and assess the level of safety achieved by each requirement and the cost of each requirement, and compare for effectiveness of cost. Then, assess the current existing and continuing risk of fire deaths and building destruction attributed to the vacant and underutilized spaces if we do not rehabilitate and occupy them.
 - a) Seek relief from State code through blanket variances for the entire downtown, based on:
 - i) overall improvement in level of risk resulting from creation of apartments from vacant spaces
 - ii) achievement of equivalent levels of fire safety through mitigation by other means
 - iii) excellence and proximity to Main Street of the Oneonta Fire Department.
 - b) Work with other similar sized upstate towns and cities that have downtown areas with similar underutilized upper floors to encourage the state to revise the State code to make reuse of upper floors affordable. (Examples - deficiencies / mitigation)

i) Deficiencies:

- (1) Some buildings that are long and narrow and attached on both sides to adjacent buildings cannot meet the requirements for emergency egress windows. Extreme building narrowness, the lack of exterior yard space, and the lack of available interior floor space, in some buildings make the construction of a second egress stairway prohibitively costly.
- (2) Some existing buildings have existing stairways that don't meet code for dimensional reasons and these cannot be corrected except at prohibitive costs.

ii) Mitigation

- (1) The loss of fire safety resulting from such specific egress deficiencies can be mitigated by non-required safety enhancements such as earlier fire alarming of occupants and earlier fire department notification allowing longer escape time, higher fire resistance ratings of fire compartmentalization walls and ceilings reducing speed of fire spread, the reduction of fire incident risks in adjacent buildings, and the installation of sprinkler systems.