



VILLAGE OF PHILMONT HOUSING STUDY

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Prepared for the Village of Philmont

Kevin Dwarka LLC
145 West 79th Street, NY, NY 10024
kdwarka@kevindwarka.com



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Project Managers

Debra Gitterman

Robin Andrews

Village Board of Trustees

Brian Johnson, Mayor

Douglas Cropper

Debra Gitterman

Jason Detzel

Clarence Speed

Village Staff

Jessica Thomas, Clerk/Treasurer

Lee Heim, Building Inspector/Code Enforcement Officer

Consultant Team

Kevin Dwarka, PhD, Esq.

Tiffany Zezula, Esq.

Jessica Bacher, Esq.

Aaron Magloire

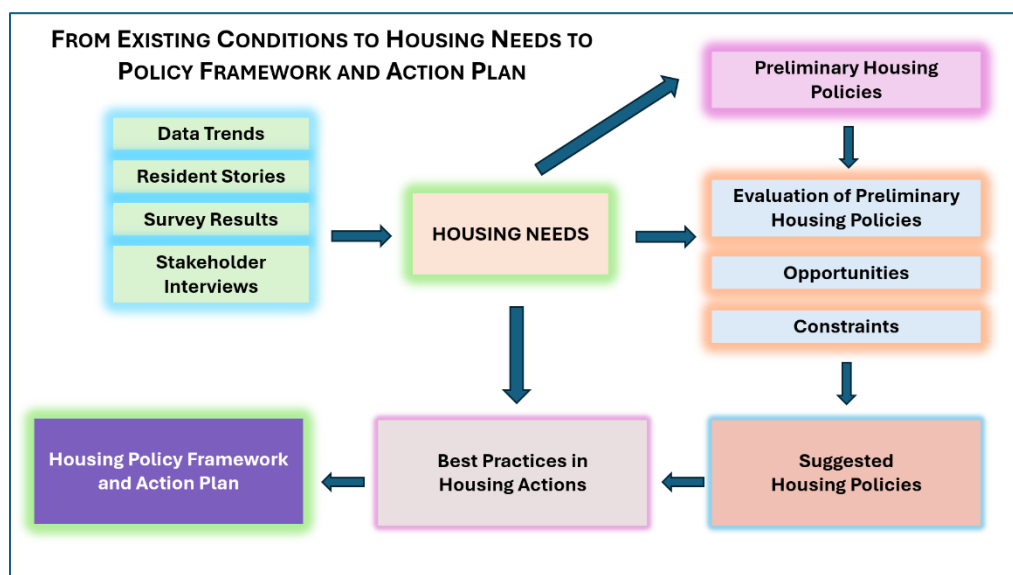
EXECUTIVE SUMMARY

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 strategies 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.



SYNTHESIS OF FINDINGS

Based upon robust data analysis and extensive community outreach, the three biggest housing challenges confronting Philmont residents are the limited inventory of rental units and homeownership units on the market; the high asking prices of homes that are listed; and the diminished physical condition of the Village's older housing stock.

These three issues are all interrelated. The regional undersupply of housing has resulted from sluggish home production, high construction costs and restrictive zoning regulations throughout the Hudson Valley. The regional mismatch between housing demand and supply has been made even more challenging due to the large share of homes in the upper Hudson Valley used for short-term rentals or as second homes. Meanwhile, the quality of housing remains compromised by their age and the costs of rehabilitation. When homes in Philmont have been refurbished, the rental units in those homes have often been priced at levels designed to help building owners recover their reinvestment costs. The result is that these rehabilitated homes are out of reach for many of Philmont's lower and middle-income residents.

The best way for Philmont to meet the housing needs of its current and future residents would be to build more housing units at a wider range of price points in areas where there is a pre-existing mix and intensity of land uses. These homes could also be built to accommodate the broad range of housing needs in the Village including larger households seeking homes with multiple bedrooms as well as young singles and seniors preferring smaller units. However, increasing the supply of high-quality and affordable housing in Philmont has long been impeded by zoning regulations that forbid multi-family housing, the lack of housing development partners, and community fears that new housing may forever alter the physical character of the Village. Another perceived barrier is the lack of sites suitable for housing development and the Village's lack of land holdings.

In spite of these challenges, created by a combination of local and regional forces, there is a pathway for the Village of Philmont to better meet the housing needs of its residents while simultaneously preserving the Village's architectural heritage and low-density scale. Specifically, the Village's Main Street includes a large number of single-story and single-use buildings that are set back far from the street edge and fronted by surface parking. Over time, these buildings could be replaced with multi-family mixed-use buildings that not only increase the supply and variety of housing in the Village, but also help enhance the aesthetic and economic vitality of the Main Street corridor. Vacant or underutilized properties, especially those located within walking distance of Main Street, present another opportunity for making modest increases in housing supply through slight changes in permissible density and incentives for accessory dwelling units.

Increases in housing supply should be implemented simultaneously with a host of preservation policies including design guidelines, conservation techniques, and building rehabilitation programs that serve to protect the Village's physical form and environmental assets. The policies, actions, and implementation strategies proposed in this study are thereby intended to balance housing needs with preservation concerns including the protection of the Village's economic diversity. As elements of the broader vision to be outlined in the Village's forthcoming update of its Comprehensive Plan, this housing study presents

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policies, actions, and implementation strategies aimed at continuing the Village's long history of housing New Yorkers at a wide range of income levels.

Proposed Housing Policies and Actions

Proposed Housing Policies and Actions for the Village of Philmont
Policy 1: Preserve Philmont's Residential Neighborhoods, View Corridors, and Open Spaces
1A. Maintain low-density zoning in neighborhoods
1B. Maximize protection of open space
1C. Encourage historic preservation of existing buildings
1D. Adopt design guidelines that protect Main Street's architectural heritage
Policy 2: Preserve and Expand Affordable Housing Supply for Renters
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
2D. Regulate short-term rentals
2E. Consider adoption of good faith eviction law
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
3B. Adopt tax incentives that reduce the costs of homeownership
Policy 4: Improve Housing Conditions
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
Policy 5: Incentivize Wider Variety of Housing Units
5A. Adopt building & zoning regulations that encourage 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.

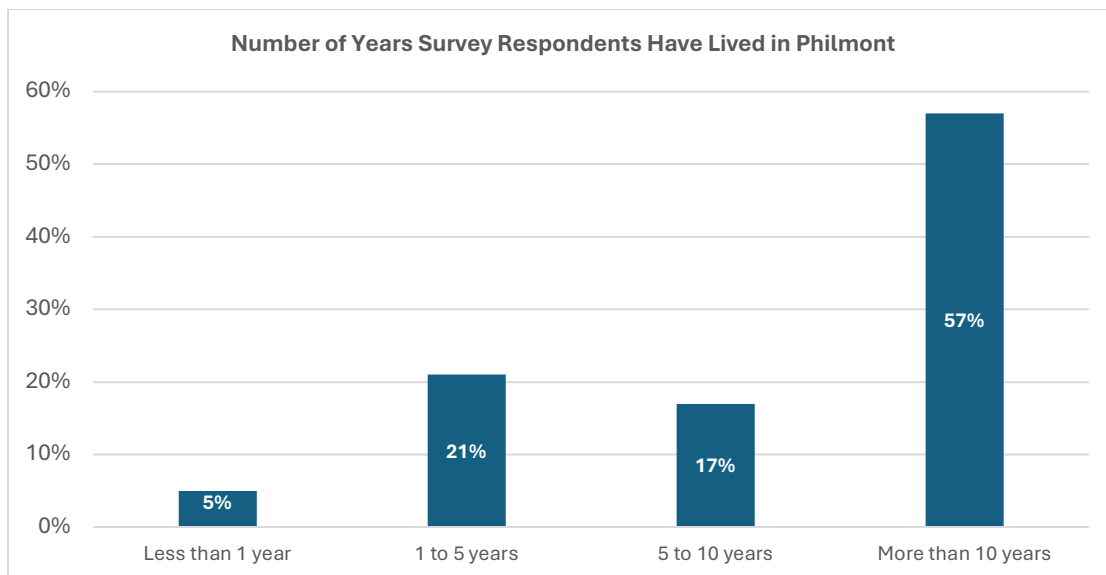
Population Shifts, 2010 – 2020				
	2010	2020	Change 2010 - 2020 (#)	Change 2010 - 2020 (%)
Village of Philmont	1,379	1,377	-2	0%
City of Hudson	6,713	5,894	-819	-12%
Columbia County	63,096	61,570	-1,526	-2%

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

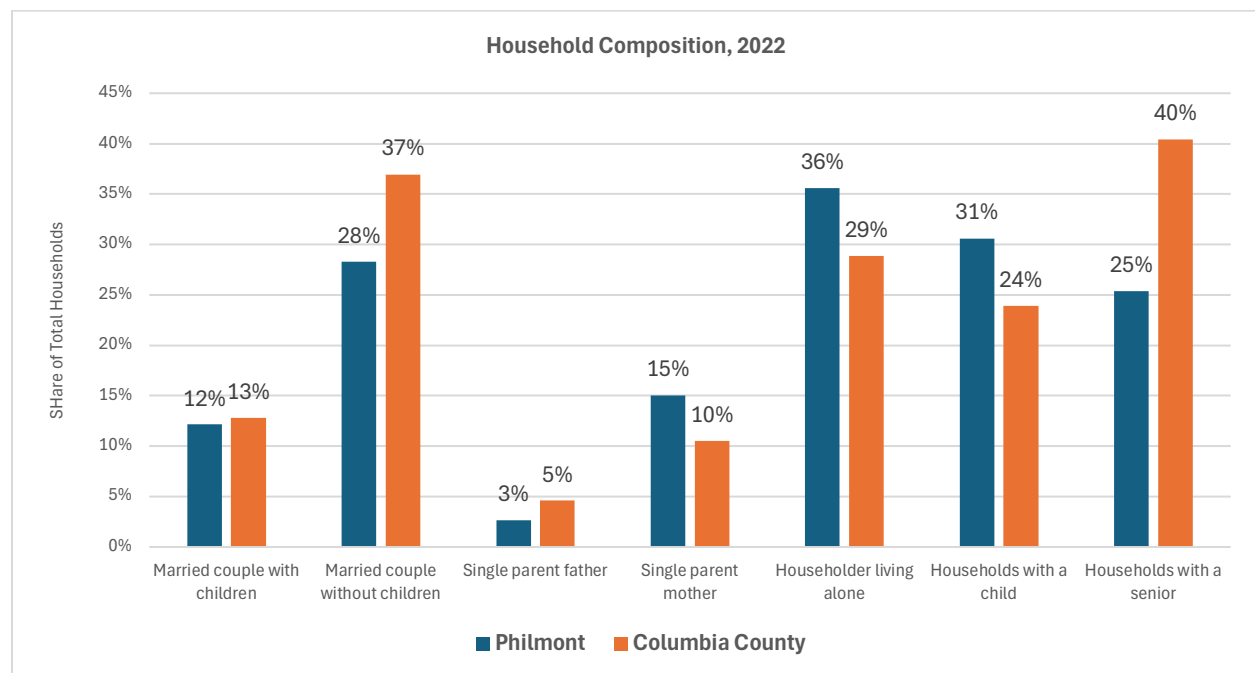
American Community Survey data shows that the number of households in Philmont increased by 11%, from 502 households in 2012 to 559 households in 2022. The data also shows a dramatic change in the number of householders living alone, rising from 65 households in 2012 to 199 households in 2022, a share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

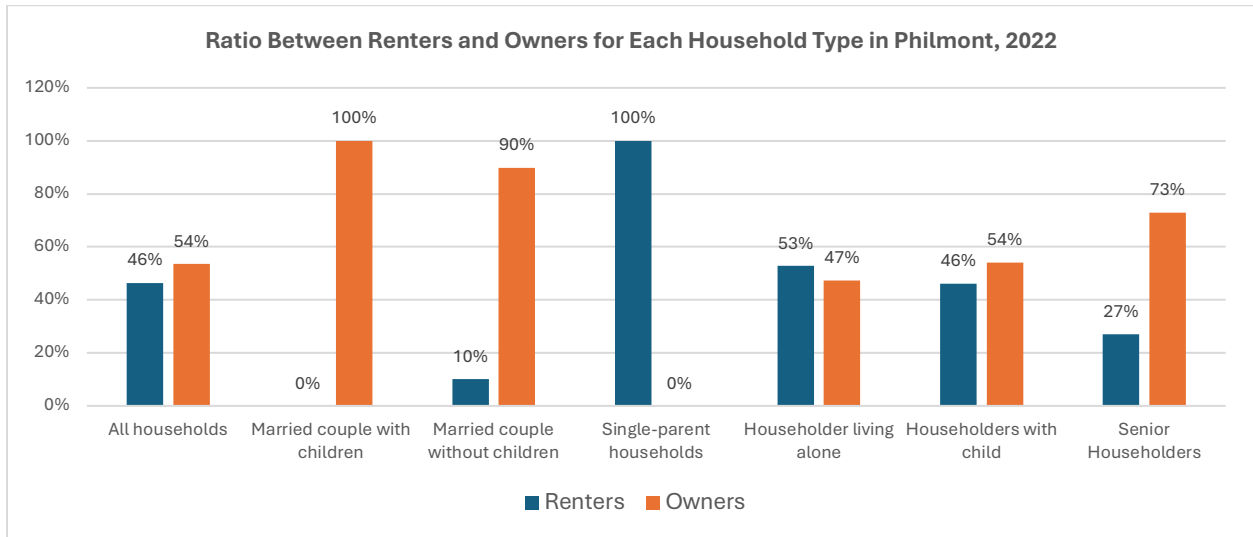


Source: American Community Survey

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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.

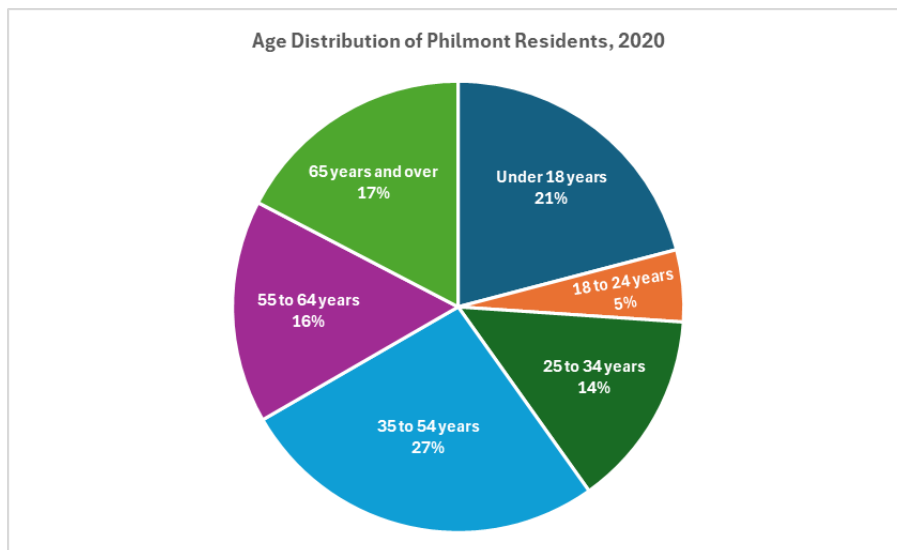


Source: American Community Survey

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

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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.

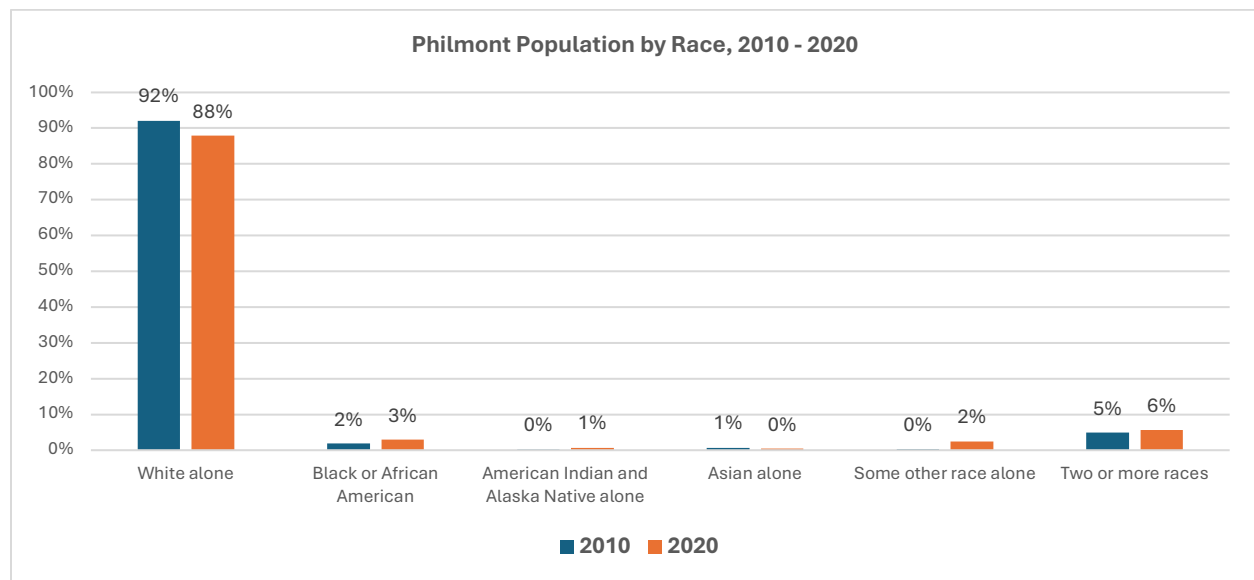
Meanwhile, the population of older residents including those between ages 55 and 64 and seniors aged 65 and over increased respectively by 43% and 25%. Besides increased longevity, these shifts may also suggest not only the desirability of Philmont as a community to age in place but also the potential 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 1/5th 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

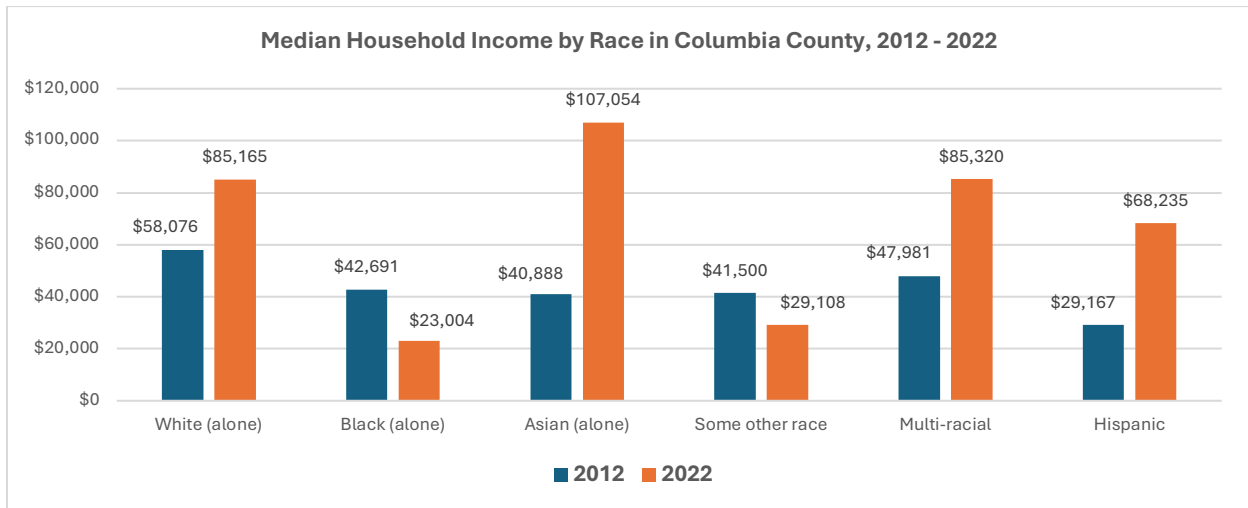
Source: US Census American Community Survey

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

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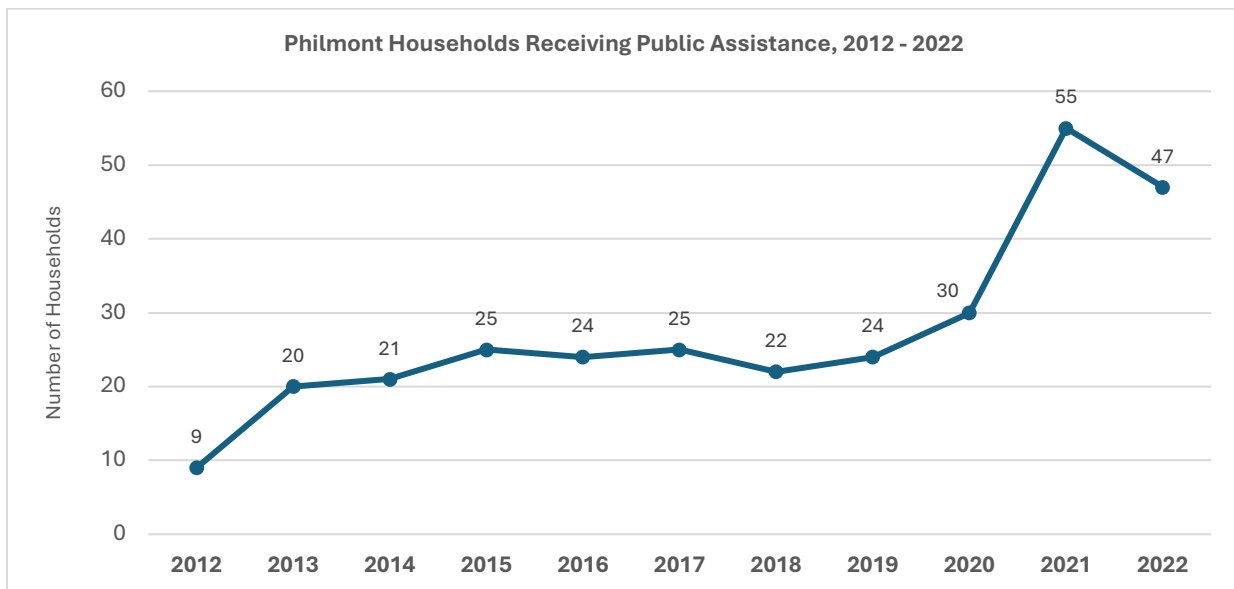
¼ of the County's median income and significantly lower than other racial groups. A low level of income in turn makes it difficult for a household to afford housing on the open market, especially in a period in which sales and rental prices are rising not only in Philmont but throughout the County.



Source: US Census American Community Survey

Public Assistance

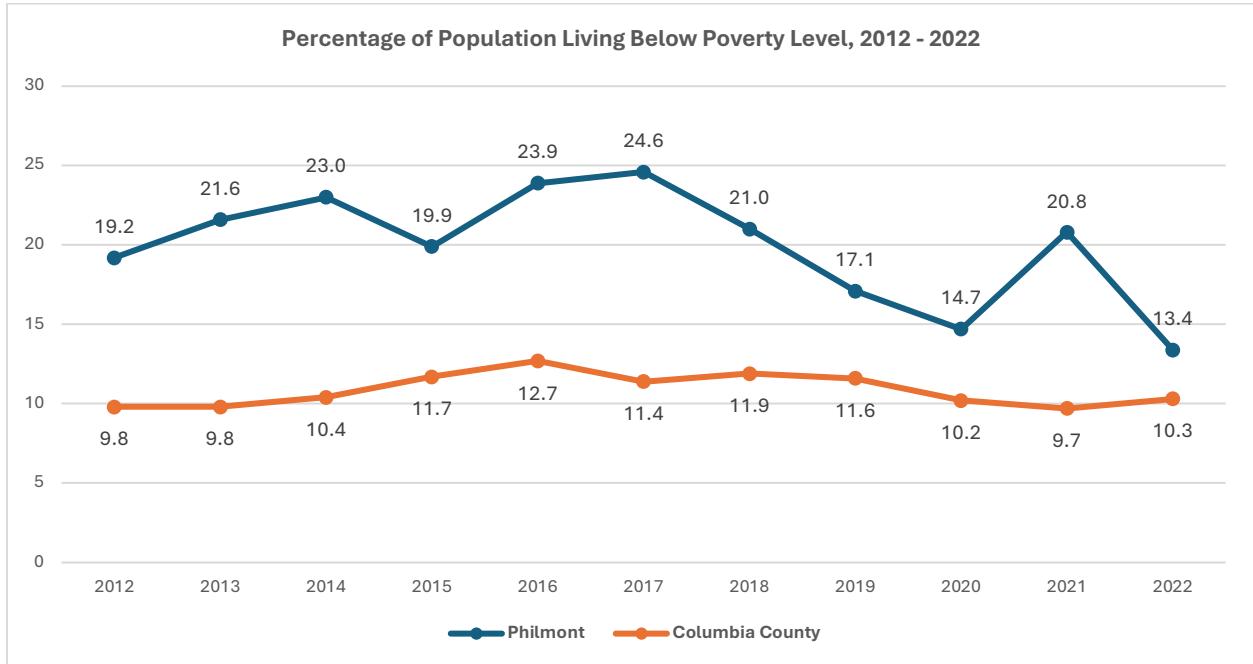
Based upon American Community Survey data, the number of Philmont residents receiving some form of public assistance has risen from 9 individuals in 2012 to 47 individuals in 2022. Public assistance includes Social Security payments, Unemployment Compensation, VA Benefits, and other benefits (e.g., TANF, 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.

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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.

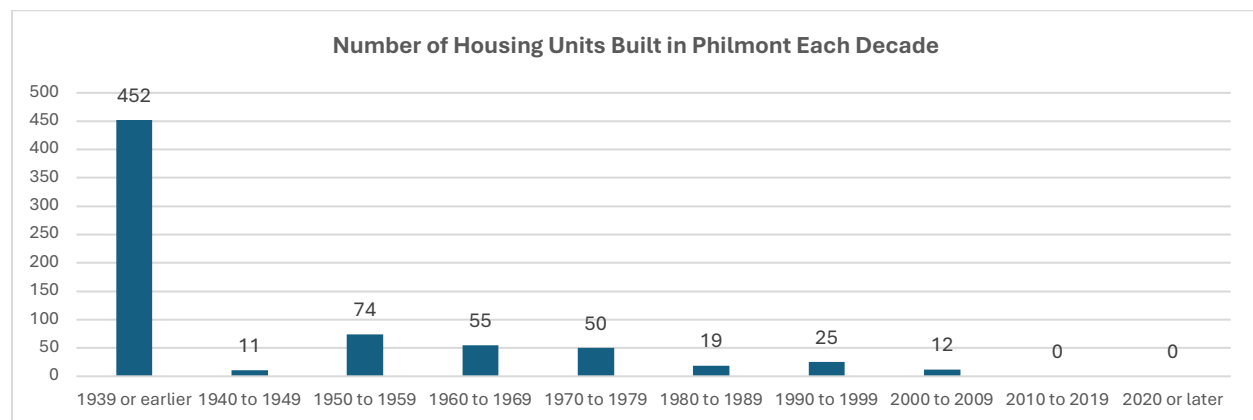
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Housing Supply by Number of Bedrooms, 2022						
Rooms in Building	Philmont		City of Hudson		Columbia County	
	Units (#)	Units (%)	Units (#)	Units (%)	Units (#)	Units (%)
Studio Apartment	19	3%	60	2%	649	2%
1 bedroom	84	12%	630	18%	3,071	9%
2 bedrooms	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.

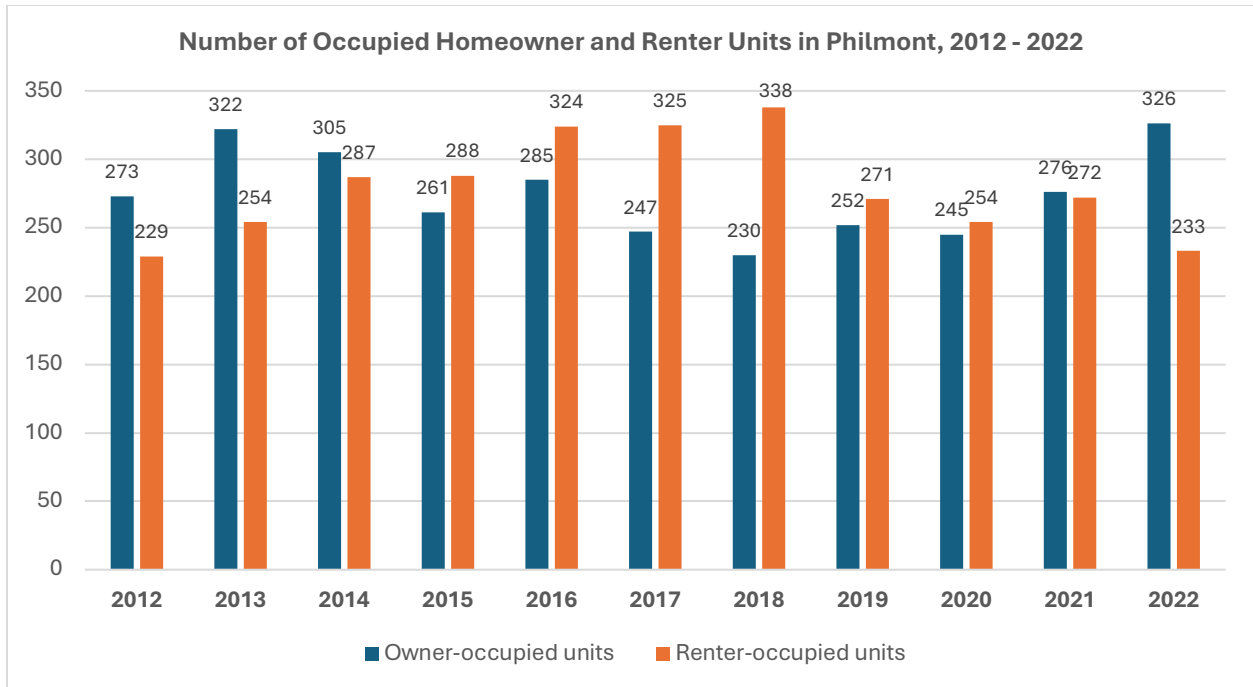


Source: US Census American Community Survey

Housing Tenure

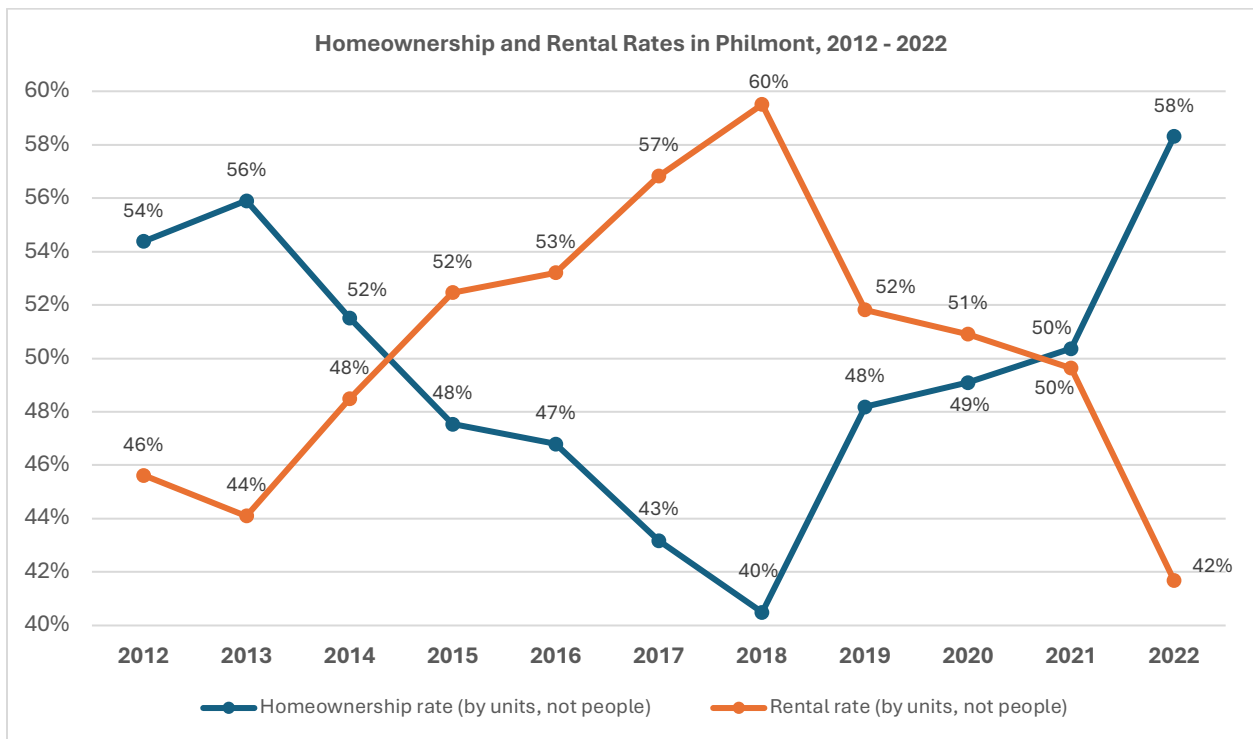
Between 2012 and 2022, the number of rental units in Philmont slightly increased from 229 units to 233 units while ownership units increased from 273 units to 326 units. However, as noted further below in the line graphs on rental and ownership rates, there was a great deal of year-to-year change in 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.

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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.)
Room	1	\$ 58	7 Maple Ave
Full home (tiny home)	1	\$ 108	Summit St.
Apartment	3	\$ 145	Prospect St.
Apartment	1	\$ 160	Main St.
Room	1	\$ 74	Summit St.
Apartment	2	\$ 170	Main St.
Room	1	\$ 65	Summit St.
Apartment	2	\$ 198	Main St.
Apartment	2	\$ 196	Ark St.
Full home	3	\$ 445	N/A
Full home	8	\$ 2,250	Main St.
Apartment	2	\$ 275	Main St.
Room	1	\$ 62	7 Maple Ave
Full home	4	\$ 158	N/A

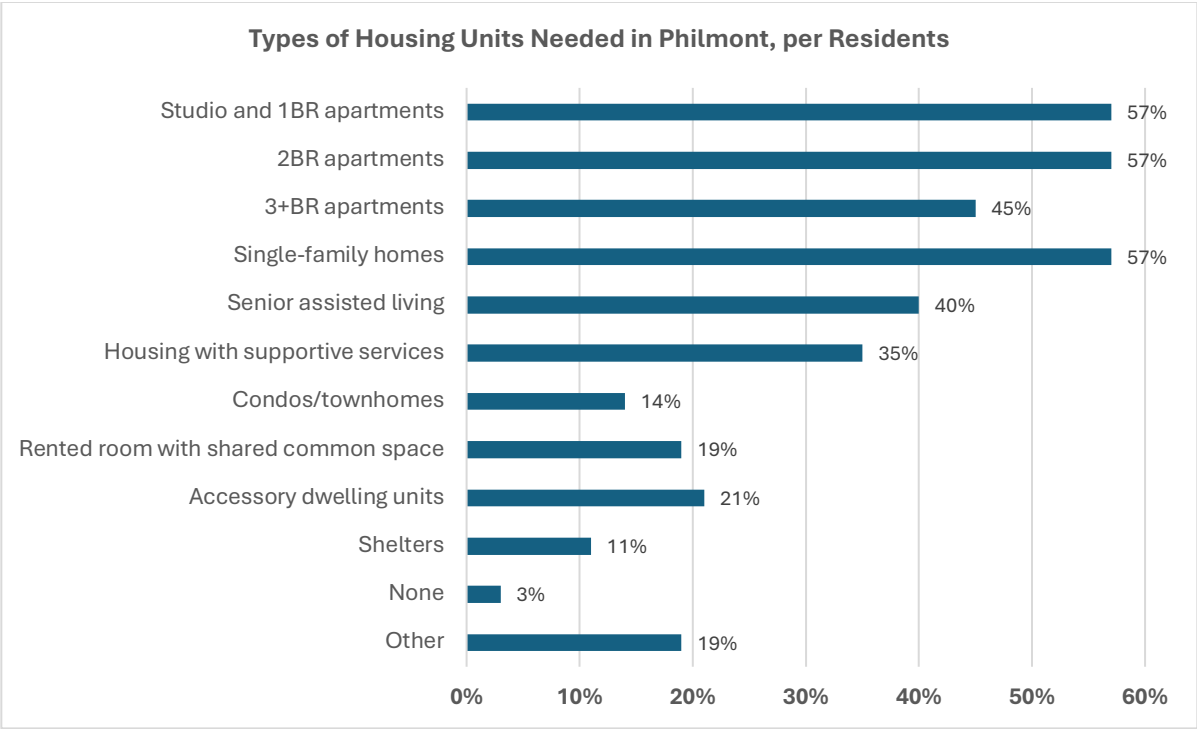
Source: Airbnb

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.

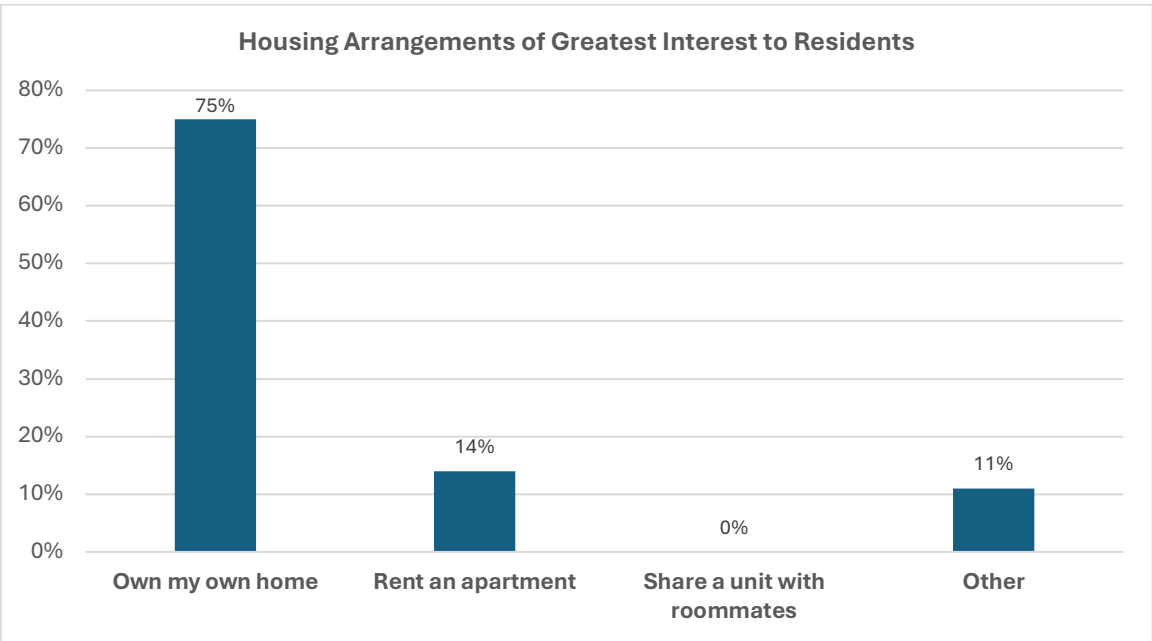
Village of Philmont Housing Study



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

Village of Philmont Housing Study

Visual Preference Survey

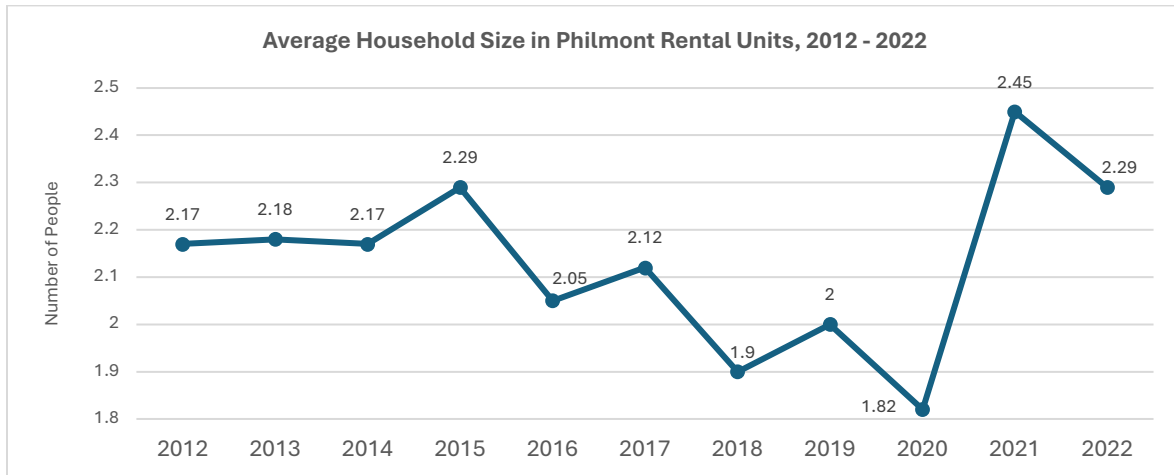
In addition to the housing survey, a visual preference survey was conducted to gauge the level of community interest in different types of residential buildings. Unlike the housing needs survey, very few residents participated in the visual preference survey. Presented below is the number of votes residents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

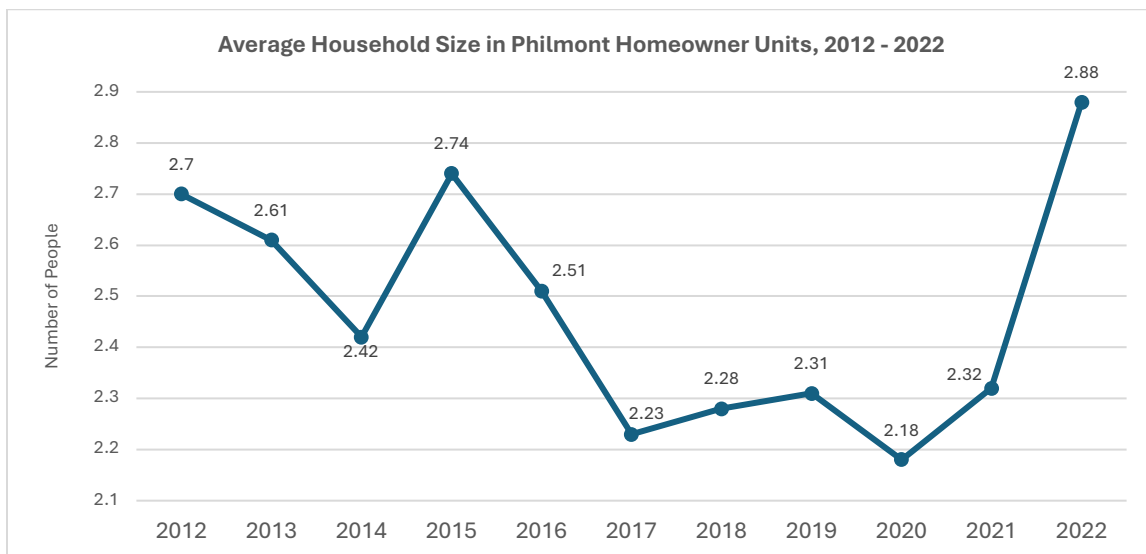
Household Size

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

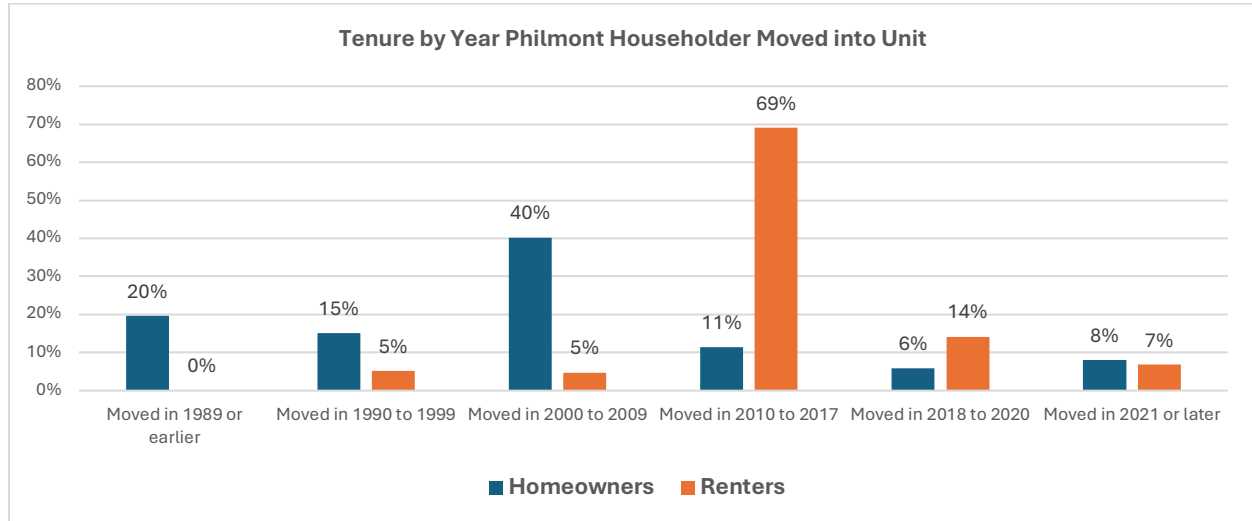
Between 2012 and 2020, the household size for homeowner units fell from 2.7 to 2.18. This decline could be attributable to the increasing number of “empty nesters,” older residents whose children matured and left the home. As with renters, the reason behind the sharp increase in household during the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

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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

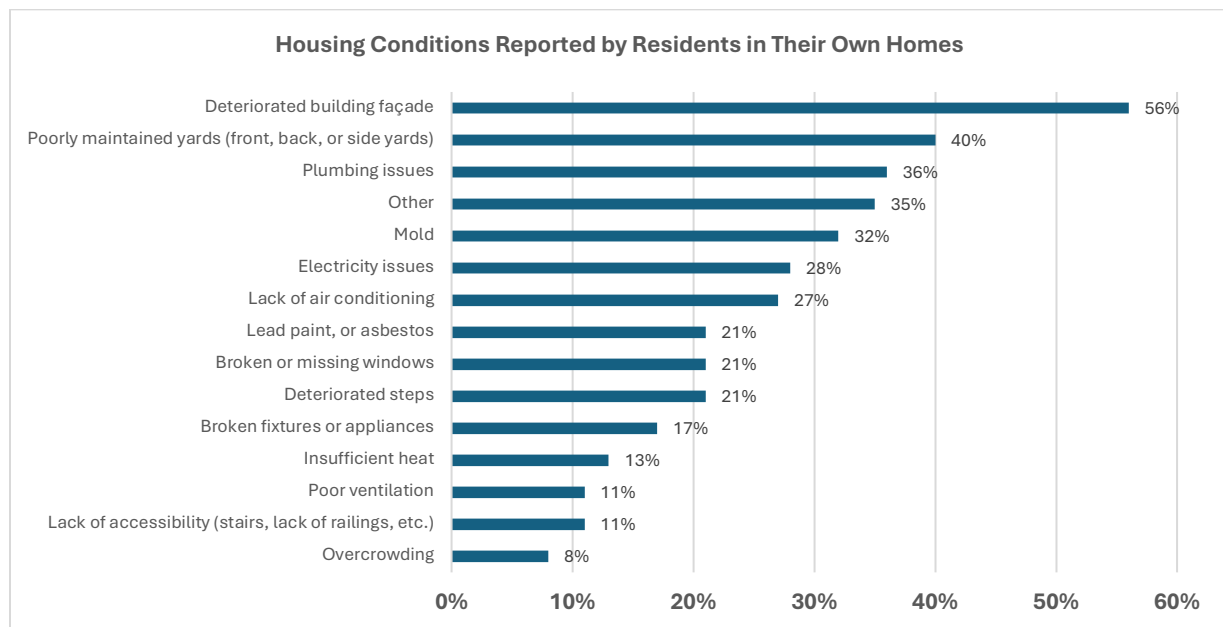
The Village conducts inspections as part of its rental registry program. In many cases, building violations are not documented and instead addressed immediately and informally by the Village Building Inspector in order to expedite their resolution. Based upon records from the Building Inspector, it appears 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

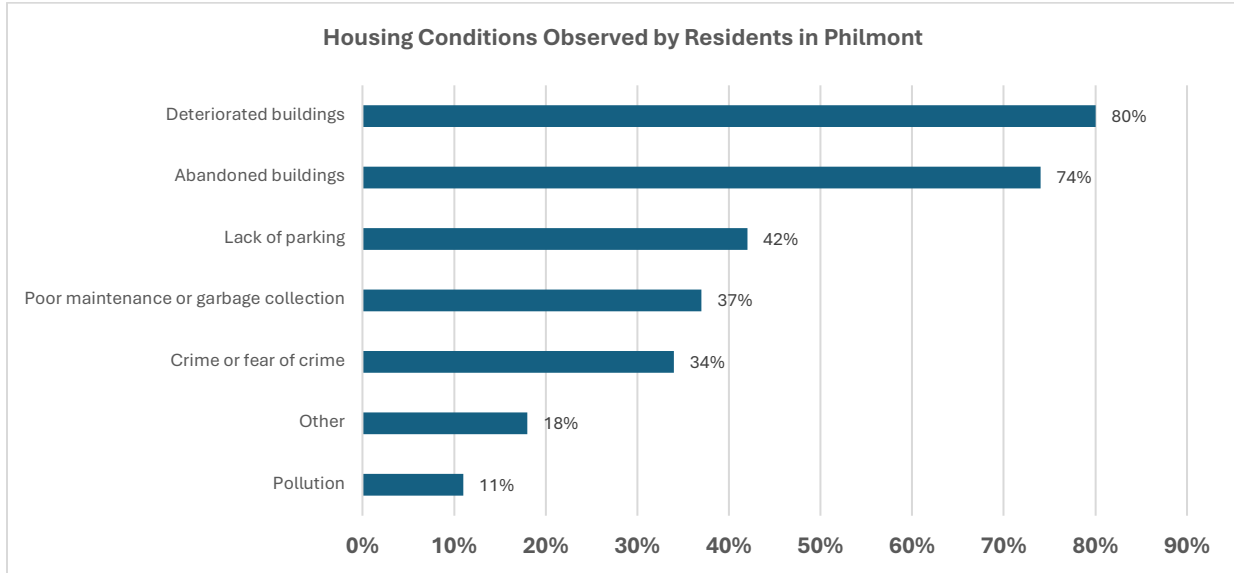
The housing needs survey asked residents about the shortcomings in housing conditions they experienced in their own buildings or that they observed in the Village. Within their own homes, the three most reported housing condition issues were deteriorated building facades (56%); poorly maintained yards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



Source: 2024 Village of Philmont Housing Survey

Village of Philmont Housing Study

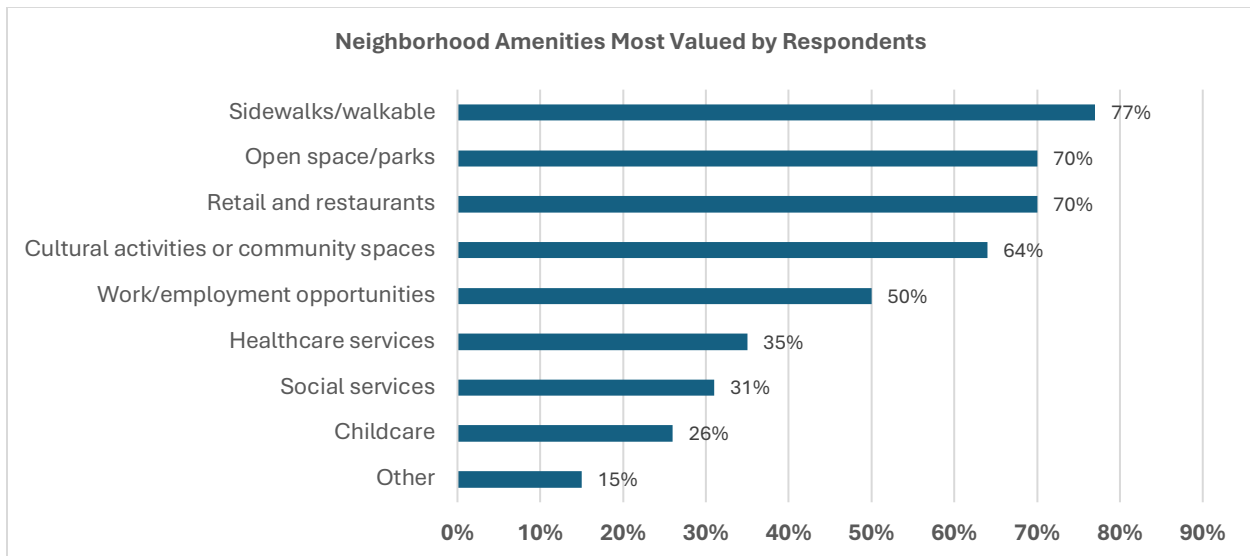
As far as Village-wide issues, the three most reported issues were deteriorated buildings (80%); abandoned buildings (74%); and lack of parking (42%). Among the 18% of residents who answered “other,” some reported drug usage, excessive vehicular noise, and a lack of services for renters, while others 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:

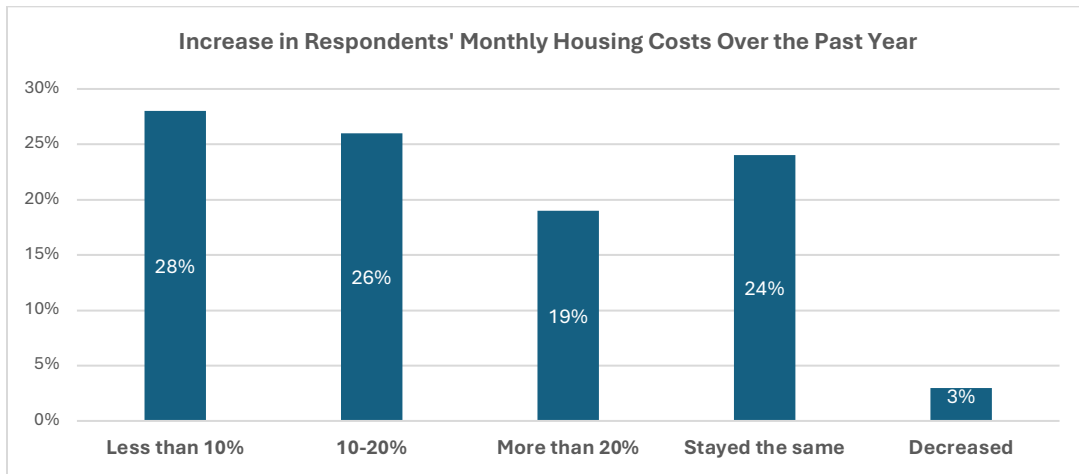
- Limited housing inventory;
- Prices are rising and not aligned with income levels. Listings seem sometimes primed to attract buyers from other, wealthier municipalities;
- Distrust of landlord due to dilapidated or poorly maintained rental units that nevertheless have high asking prices;
- Drug usage;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

HOUSING AFFORDABILITY

Housing Costs

Resident Experience of Housing Costs

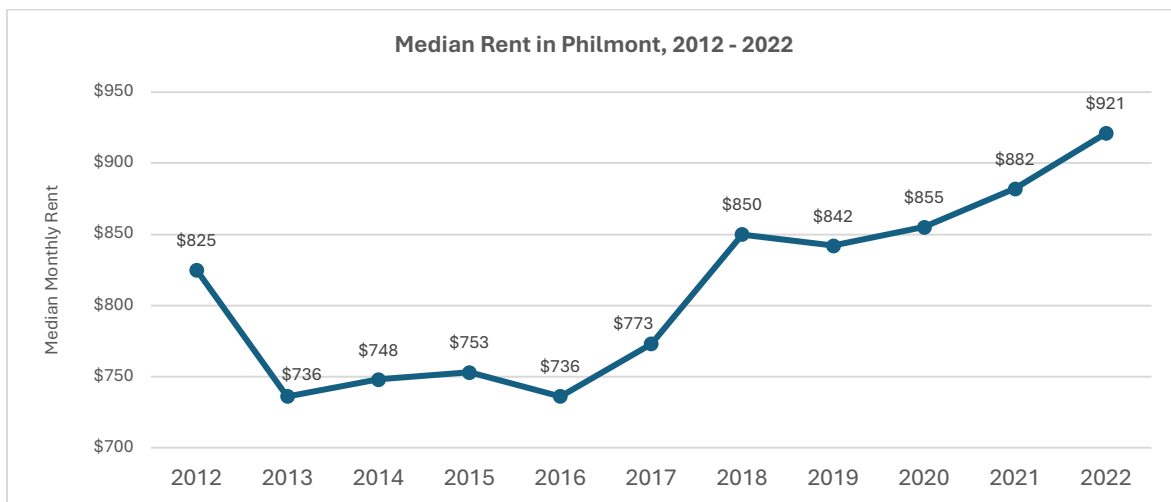
As part of the Philmont Housing Survey, residents were asked about the changes in their monthly housing costs over the last year. The data from this question is especially important since the most recently available census data on housing costs is 2022. Most survey respondents (73%) reported that their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

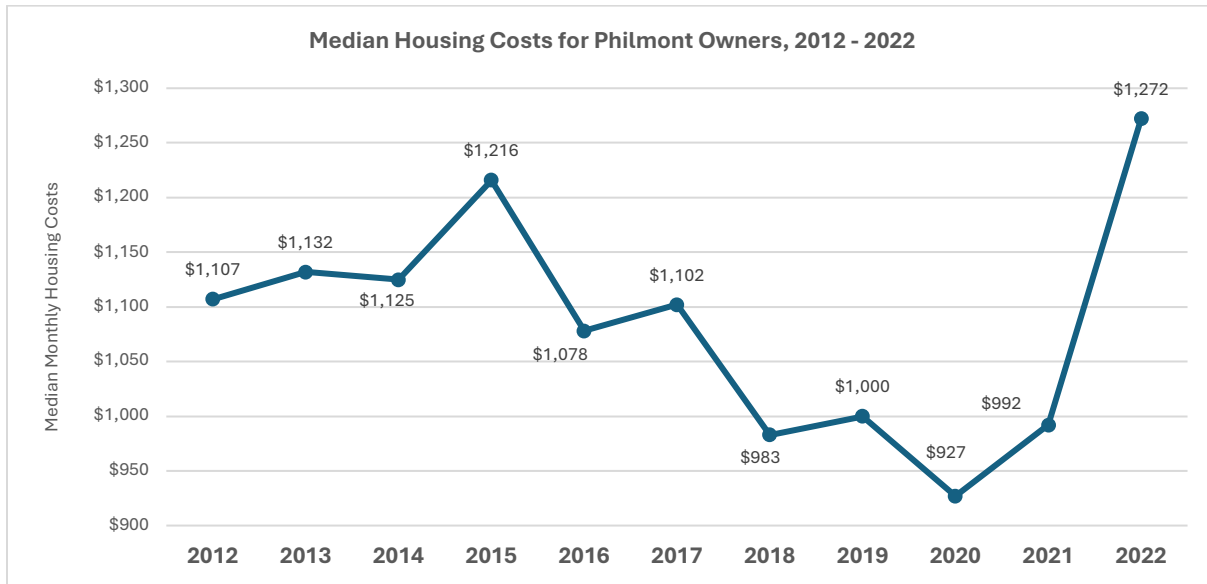


Source: US Census American Community Survey Data

Village of Philmont Housing Study

Ownership Costs

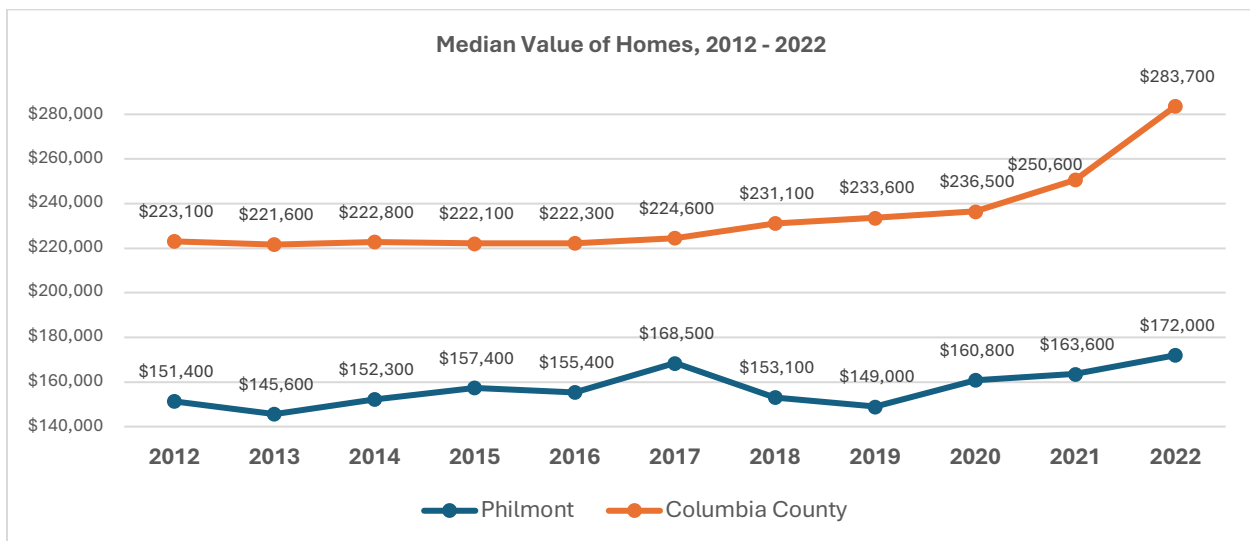
Between 2012 and 2020, the median monthly housing cost for homeowners fell from \$1,107 to \$927. This decline could be attributable to homeowners staying in their homes after paying off their mortgages. But monthly costs for owners grew from \$927 in 2020 to \$1,272 in 2022, a shift that could be indicative 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.



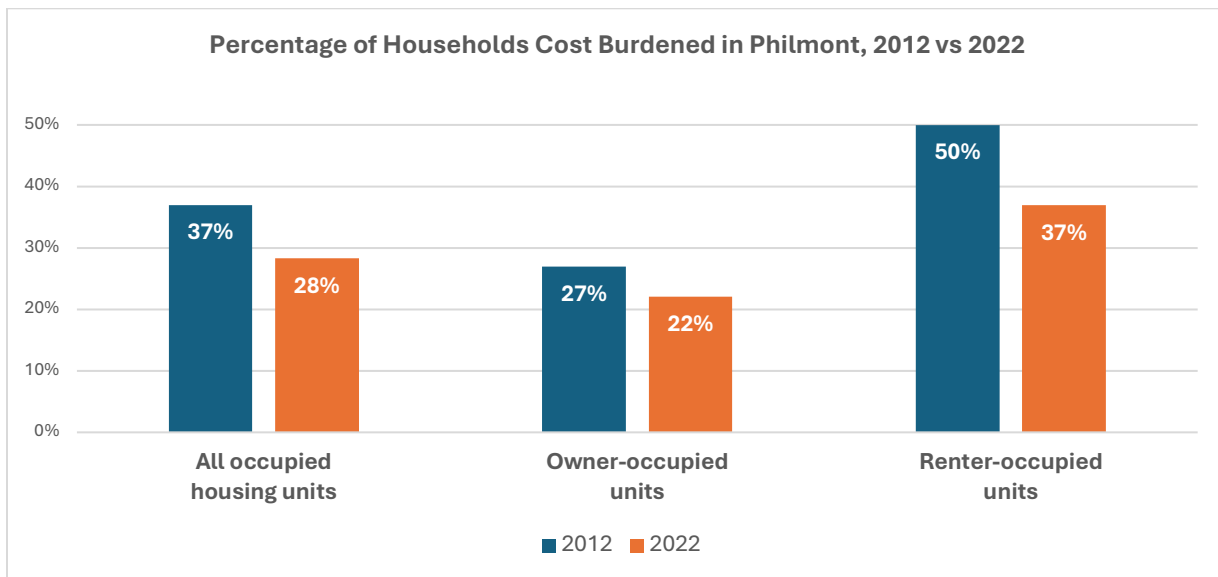
Source: US Census American Community Survey

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

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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	
Income Band	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 1/5th (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%

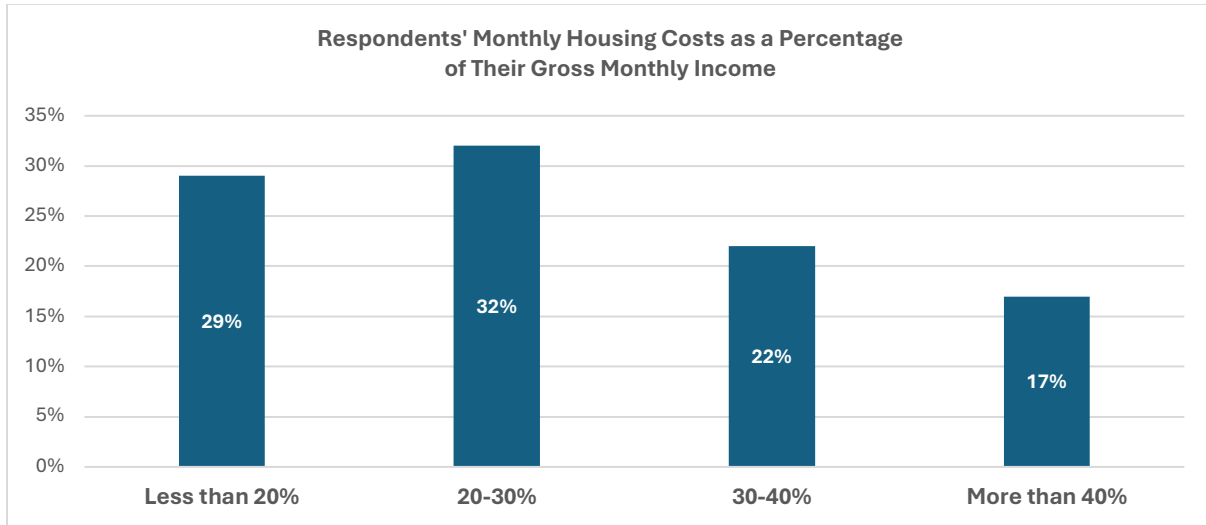
Source: US Census American Community Survey

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:

Village of Philmont Housing Study

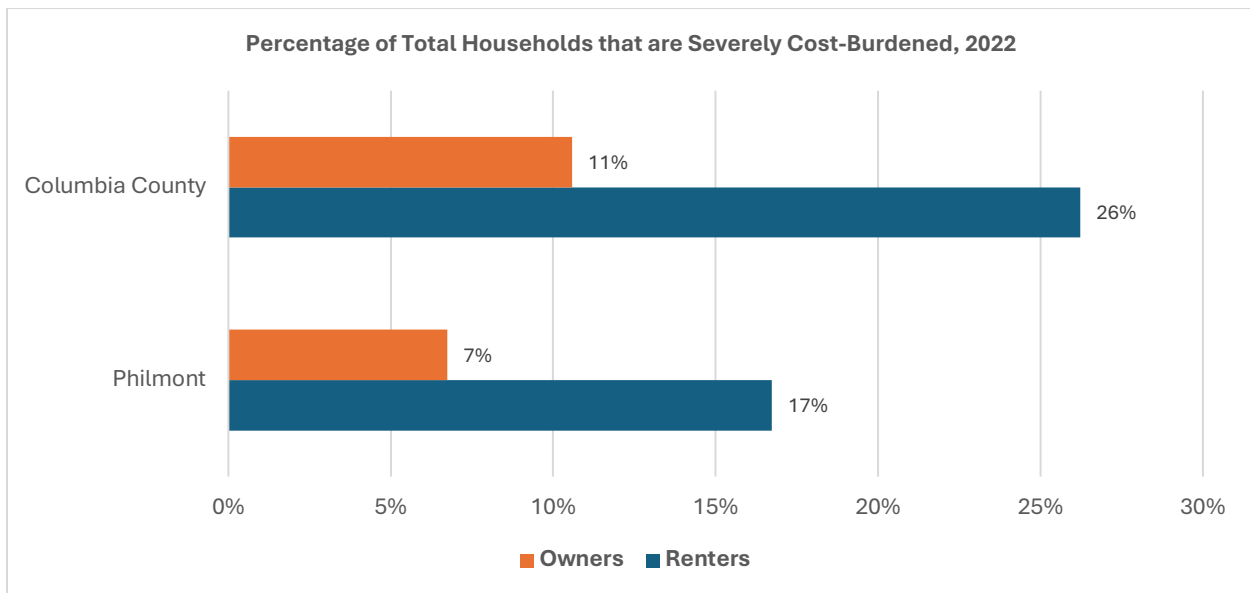
- The survey data captures current experiences including recent rent increases which may be more palpable with the expiration of rental assistance programs during the pandemic.
- Rent and sales prices have increased since 2022.
- Census data defines “income” as pre-tax income whereas survey respondents 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

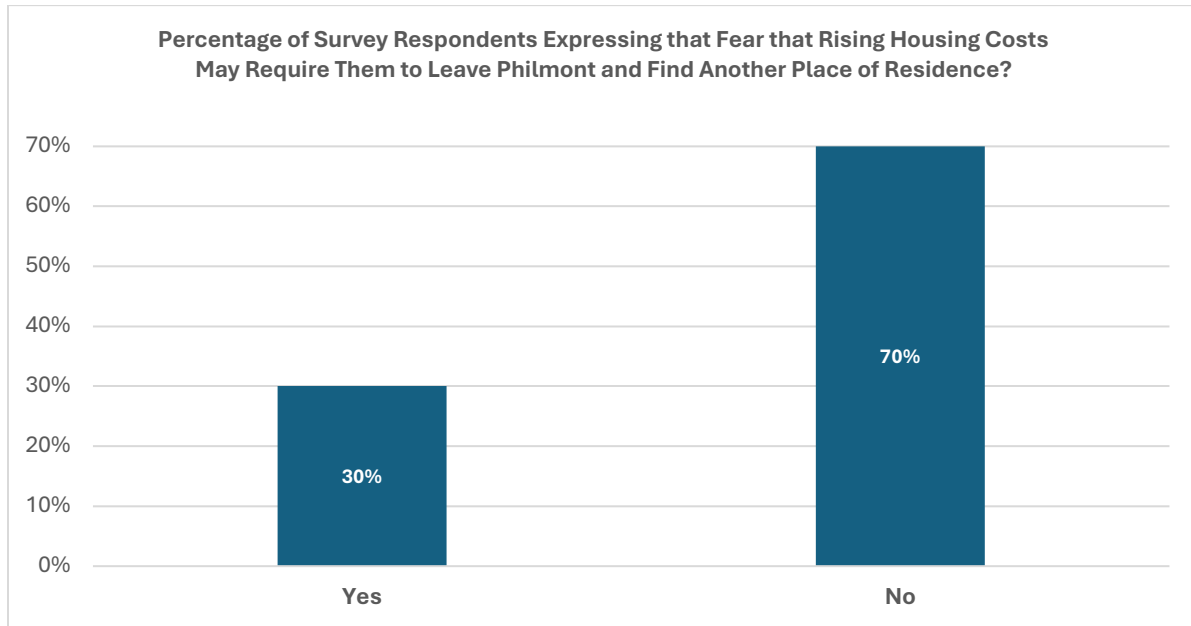
A household that spends more than 50% of housing is said to be severely cost-burdened. In Philmont, 7% of owners and 17% of renters are significantly cost-burdened. In Columbia County, 11% of owners and 26% of renters are significantly cost-burdened.



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 1/3rd 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.



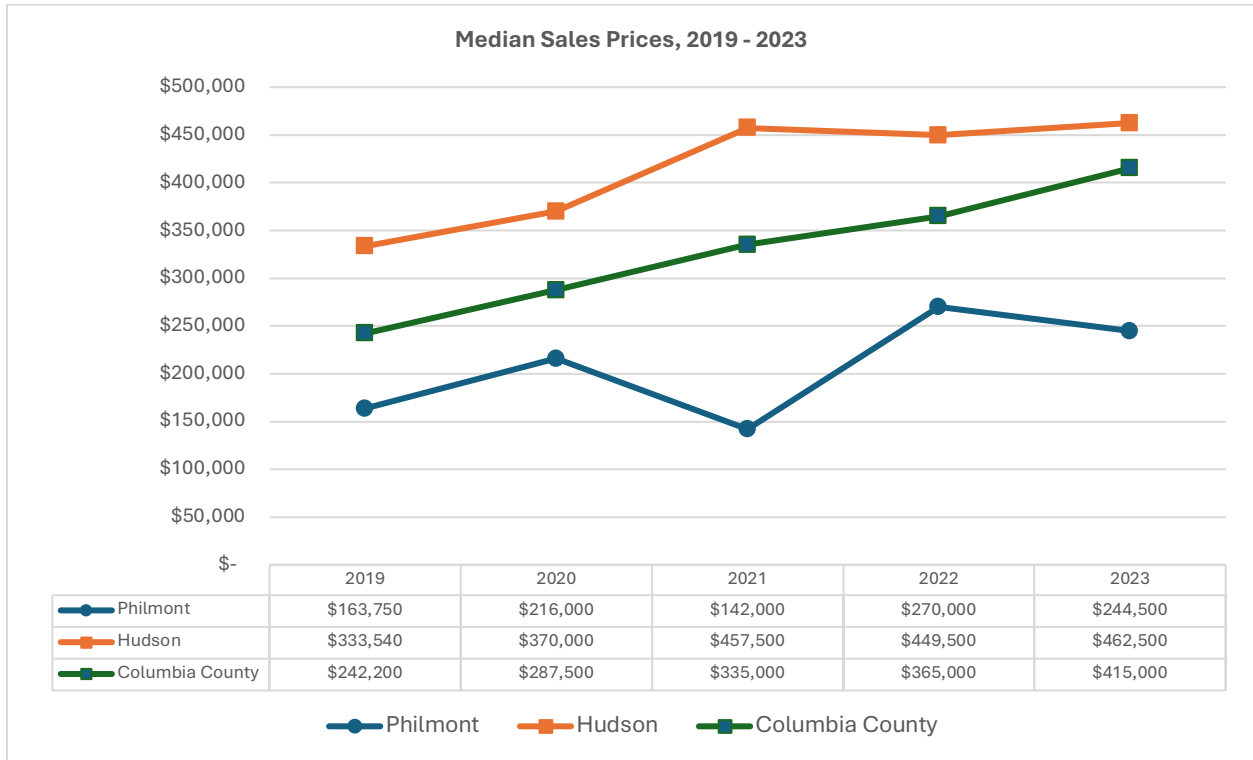
Source: 2024 Village of Philmont Housing Survey

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

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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.

Village of Philmont Housing Study

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

Village of Philmont Housing Study

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.

Houses and Apartments for Rent in Hudson by Number of Bedrooms, July 2024			
Bedrooms	Median Rent	# of Available Units	% of all Available Units
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%
Total	\$ 2,300	43	100%

Source: Zillow

CHAPTER 2: EXISTING 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 2002.¹ As summarized below, the plan consists of recommendations in four areas: Development, Building Conditions, Building Code Enforcement, and Funding.

Recommendations from 2002 Comprehensive Plan	
Development Recommendations	
▪	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.
Building Condition Recommendations	
▪	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.
Building Code Enforcement Regulations	
▪	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.
Funding Recommendations	
▪	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">○ 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.

¹ <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.

Village of Philmont Housing Study

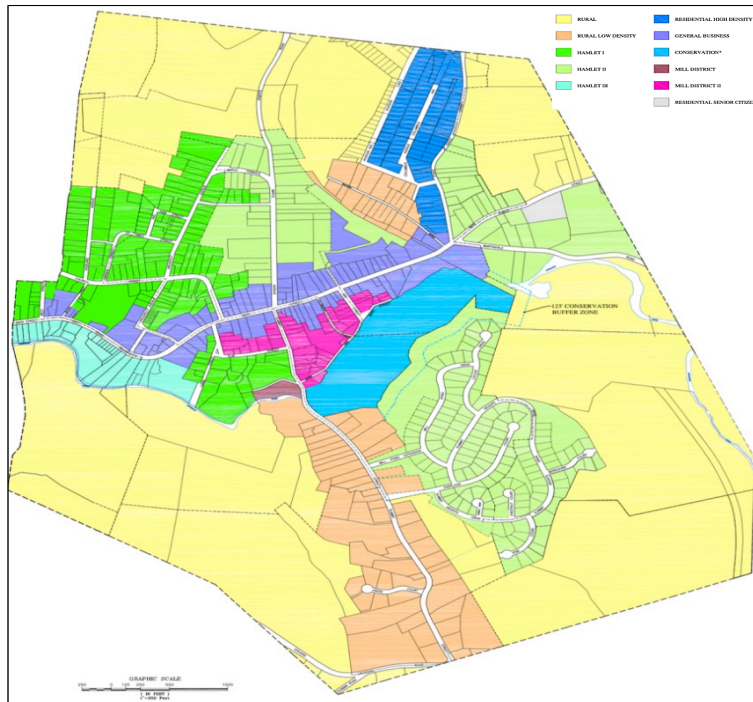
Zoning Map

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 Description as Provided Within the Village's Zoning Code
Rural (R)	Variety of low-density uses: woodlands, agricultural, wetlands and residential uses. The intent is for the character to be maintained.
Residential Low Density (RLD)	Encompasses a transitional area between low density and a traditional village housing area. Lot sizes tend to be one acre in size. This pattern should be maintained.
Hamlet I (H-I)	Encompasses a typical village housing area. Lot sizes tend to be approximately 1/3 acre in size. This pattern should be maintained.
Hamlet II (H-II)	Encompasses a similar typical village housing area where lot sizes tend to be approximately 1/2 acre in size. This pattern should be maintained.
Hamlet III (H-III)	Similar to the RHD area and is located within walking distance to the commercial center. Lot Sizes tend to be 1/4 acre. It is intendeds that that this pattern be maintained.
Residential High Density (RHD)	Allows for a variety of housing opportunities, including units that may be smaller and more affordable than the prevailing housing stock, including mobile homes. Lot sizes tend to be 1/4 acre. It is intended that this pattern be maintained.
Mill (M)	Contains areas of unique and historical structural concern that are deemed to be of special quality and protected. Use of this area is aimed at allowing future commercial use of the property consistent with the character of the Village.
Mill II (M-II)	Mixed-use commercial and residential area. It contains areas of unique and historical structural concern that are deemed to be of special quality and consistent with the character of the Village. Use of this area is aimed at allowing future low-impact commercial uses of property that respect the residential quality of the area and encourage walkability. Such uses should utilize low-impact lighting, have low impact on traffic and low noise impacts as well as utilize existing structures. Such uses should not pose an unreasonable fire hazard. Businesses that bring artisans of the area to the attention of consumers are especially encouraged.
General Business (GB)	Largely developed. Should changes occur, ideally there should be a planned concept with a site plan and architectural style that respects the character of the Village of Philmont.
Conservation (C)	Contains areas of environmental concern that are deemed to be of special quality and protected. Limited use of this area may be allowed.
Residence Senior Citizen (RSC)	District encompasses an area suitable for affordable citizen housing and shall meet a pressing Village need.

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Village of Philmont Zoning Map (2006)



Kinds of Housing Permitted Within Each Zoning District

The table below shows the types of housing that are permitted within each zoning district. As shown 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 are permissible as of right only in 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	RS C
Residential Uses											
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
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
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
Mobile home park	X	X	X	X	X	X	X	X	X	X	X
Commercial Uses											
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

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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
Minimum Lot Dimensions											
Area (acres)	2	1	1/3	1/2	1/4	¼	4K sf. ²	1/3	4K sf. ²	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
Minimum Yard Dimensions											
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
Maximum Height of Buildings											
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
Maximum Lot Coverage											
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.

Accessory Dwelling Units

Under the Village's current zoning law, accessory dwelling units (ADU) are permitted within a one-family dwelling subject to the following provisions:

- ADU units may not be built as of right. The property owner must secure a special use permit to build an ADU on a site in which the owner is living and within a zoning district in which it is permitted.
- No more than ADU unit may be built on the property.
- An ADU unit must not have one more than one bedroom.
- The floor area of the ADU unit must be a minimum of 400 square feet but must not be larger than 35% of the entire floor area of the one-family dwelling.
- The ADU unit must have its own entrance; connected to the municipal water and sewage system; appropriately served by stairways; and comply with off-street parking requirements.

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).² 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.³

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.

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.⁴

Philmont's Code Enforcement Regulations	
Responsibility and Purview	
▪	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.

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

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

⁴ https://locallaws.dos.ny.gov/sites/default/files/drop_laws_here/ECMMDIS_appid_DOS20150218075531_29/Content/0902134380010b.ca.pdf

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<ul style="list-style-type: none">▪ 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.
Penalties
<ul style="list-style-type: none">▪ 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.
Reporting Requirements
<ul style="list-style-type: none">▪ 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.
Unsafe Buildings Law
<ul style="list-style-type: none">▪ 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.
<ul style="list-style-type: none">▪ 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.
Section 301 of the Property Maintenance Code
<ul style="list-style-type: none">▪ 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
<ul style="list-style-type: none">▪ 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.
<ul style="list-style-type: none">▪ 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.

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.

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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.⁵

Vacant Property Regulations

The Village of Philmont adopted a Local Law in 2021 that established a Vacant Property Registry.⁶ 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. As such, buildings that are simply vacant buildings or vacant land may not be registered. Second, the Village does not have the resources to proactively identify unoccupied buildings and ensure they are registered.

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.

⁵ <https://www.nysenate.gov/legislation/laws/RPA/A19-A>;
https://newyork.public.law/laws/n.y._real_property_actions_and_proceedings_law_section_1970

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

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.⁷

Village of Philmont Rental Registry Regulations (2020)	
▪	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">○ Form includes: floorplan, contact information for landlord or agent who is available during emergencies, anticipated tenancy conditions (i.e. parking, garbage removal responsibilities)
	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.
•	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">○ 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.○ Any violations found must be corrected before the Tenancy CO is issued○ 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.

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.

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

CHAPTER 3: PROPOSED POLICIES AND ACTIONS

This chapter presents five housing policies that are suggested for inclusion within the Village's forthcoming update to its comprehensive plan. Each policy is associated with its corollary housing needs, opportunities, constraints, and potential actions. The process for determining these elements and a diagram illustrating their role 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 such as land use, environmental sustainability, economic development, and social equity. As policies are developed for these topics, the housing policies and actions suggested in this chapter 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 strategies. It is expected that these policy statements will become formally inscribed within the Village's Comprehensive Plan.

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 and should be included within the Comprehensive Plan.

However, even more specific implementation strategies, best practices and case studies are provided within *Chapter 4: Implementation Plan*. Unlike the actions presented in this chapter, the implementation strategies presented in *Chapter 4* are not intended for inclusion within the body of the Comprehensive Plan. It is expected that the implementation strategies, still in preliminary form, will be further developed and prioritized as part of a detailed work plan for implementing all sections of the Comprehensive Plan after it is adopted by the Village Board.

Housing Needs

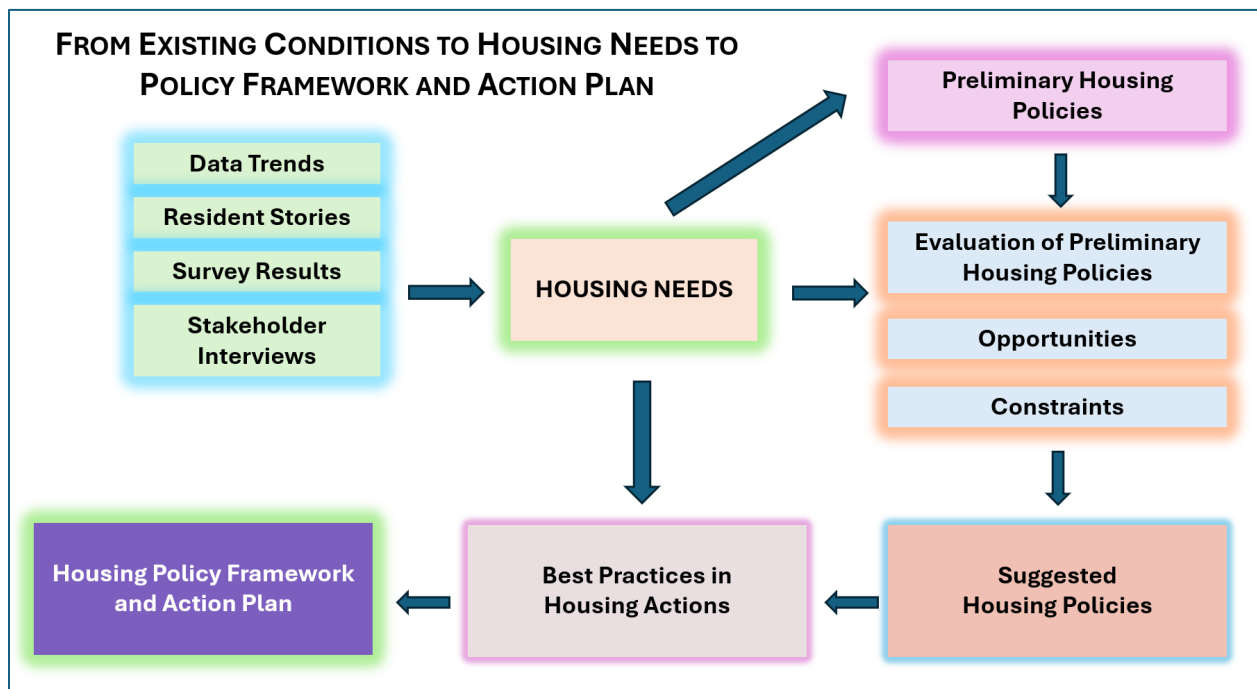
The rationale for each policy is grounded in housing needs that were determined on the basis of data analysis, residential input, and stakeholder interviews. For a complete presentation of housing needs, see *Chapter 1: Housing Needs Assessment*. This chapter also includes the results from the Philmont Housing Survey that was conducted during the summer of 2024.

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 with potential 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 policies 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 strategies can be purposefully designed to overcome obstacles and ensure the viability of the proposed policy.



SUMMARY OF PROPOSED POLICIES AND ACTIONS

Presented below is a summary of the proposed housing policies and actions. A preliminary determination of the length of time it will take for each action to be completed. This schedule should be updated after the completion of the Comprehensive Plan and as part of the Village's formulation of an annual work plan in which the full corpus of actions in the Comprehensive Plan and their corollary implementation strategies are prioritized.

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Proposed Housing Policies and Actions	Implementation Horizon		
	Short-term (Within 1 Year)	Medium Term (Within 2-4 Years)	Long Term (Five Years or Ongoing)
Policy 1: Preserve Philmont's Residential Neighborhoods, View Corridors, and Open Spaces			
1A. Maintain low-density zoning in neighborhoods	✓		
1B. Maximize protection of open space			✓
1C. Encourage historic preservation of existing buildings			✓
1D. Adopt design guidelines that protect Main Street's architectural heritage	✓		
Policy 2: Preserve and Expand Affordable Housing Supply for Renters			
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		✓	
2D. Regulate short-term rentals	✓		
2E. Consider adoption of good faith eviction law	✓		
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			✓
3B. Adopt tax incentives that reduce the costs of homeownership	✓		
Policy 4: Improve Housing Conditions			
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		✓	
Policy 5: Incentivize Wider Variety of Housing Units			
5A. Adopt building & zoning regulations that encourage development of smaller units		✓	

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. Adopt design guidelines that protect Main Street's architectural heritage

Housing Needs Addressed

Philmont's 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.

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.

However, there are areas in the Village such as the wooded areas south of Summit Lake that are developable under the current zoning code but that could be conserved through land trusting or transfer of development rights programs. The preservation of wooded areas and their insulation from development could be pursued simultaneously with the Village's efforts to stimulate housing production in areas where there is already a precedent for higher intensity and mixed-use development.

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, they also value the opportunity to stay within their community and secure affordable housing options as their needs evolve. Much of the existing housing supply is older and requires significant investment to resolve outstanding structural or aesthetic deficiencies. When new owners make the repairs to bring older buildings into a state of good repair, the rents for the units in these buildings often rises to a level that is not affordable to many long-time residents. As such, the task of fulfilling the long-term housing needs of Philmont residents cannot rely exclusively on the existing stock but will need new housing units which provides a high standard of living experience at affordable prices. Creating that housing supply requires physical change

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in the form of infill development. The pursuit of new development will need to carefully balance preservation needs with housing needs by strategically locating and designing new housing in a way that complements rather than threatens the Village's physical character, natural beauty, and architectural heritage



Philmont's historic Main Street corridor contains mixed-use buildings and a higher density of land uses but the areas beyond this corridor consist of lower density residential housing or areas more rural in character.

Policy 2: Preserve and Expand Affordable Housing Supply for Renters

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
- 2D. Regulate short-term rentals
- 2E. Consider Adoption of Good Faith Eviction Law

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

Opportunities

The Village of Philmont has a long history of supporting workforce housing that persists today with the relatively high share of rental housing units. There are several possible not-for-profit housing organizations who could expand the supply of high quality rental units and offer them at affordable rates. These partners include Habitat for Humanity, the Columbia County Land Bank Corporation, and the Trillium Community Land Trust.

Given the higher intensity and mix of land uses along Main Street, it may be possible to use zoning tools and financial incentives to encourage developers to build more housing within central Philmont. These areas include:

- Larger parcels on Main Street with large undeveloped frontages and single story uses that could eventually be built at a greater level of intensity. Examples include the parcels currently occupied by Family Dollar, Cumberland Farms, and Philmont Car Wash.
- Segments of roads that intersect with Main Street. Examples include Prospect Street, Maple Avenue, Railroad Avenue, and Eagle Street. The portion of these streets that is within short walking distance of Main Street are the segments that could be considered for a greater intensity of residential uses at varying scales of intensity depending on available parcels and environmental constraints.
- Any vacant, underutilized, distressed, condemned or tax foreclosed parcels.

The Village zoning code already has provisions that would enable site plans with cluster housing concepts under a special use permit. Cluster concepts could be explored along Eagle Street within central Philmont or in the undeveloped areas south of Summit Lake.

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New York State recently adopted the New York Good Cause Eviction Law that could be used to protect the rental housing supply by precluding landlords from evicting tenants for nonpayment of unreasonable rent increases.⁸

Short-term rentals are required to be registered under the Village's short term rental registry, thereby providing some mechanism for monitoring their presence and establishing a precedent for subjecting them to a higher level of regulatory oversight.

Vacant commercial building at 164 Main Street



Commercial and industrial buildings on Main Street can be adaptively reused to support multi-family housing.

Underutilized Property at 84 Main Street



Numerous buildings on Main Street, such as the one occupied by Family Dollar at 84 Main Street, are single-story buildings that are significantly set back from the street edge and lack any upper story housing.

⁸ <https://www.nysenate.gov/legislation/laws/RPP/A6-A>

Constraints

Existing zoning regulations do not include any inclusionary housing requirements nor is there any precedent in the Village for granting density bonuses (such as permission to build an extra floor or increased lot coverage) in exchange 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 high-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. The Village has not yet adopted tax exemptions that could make it easier for affordable housing developers to acquire properties and construct affordable rental apartments.

Accessory dwelling units are permitted in some but not all zoning districts. Also, accessory units require a special use permit instead of being allowed as of right.

A further constraint on rental housing production may be the lack of community consensus on its desirability. Most residents aspire to be homeowners rather than renters. Moreover, the Village already maintains a high inventory of rental units. On the other hand, continuing concerns about housing conditions and rising prices suggest that more affordable rental housing would meet an unmet housing need.

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 1/5th 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.

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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 homeownership units or provide financial assistance to homeowners. As noted above in Policy 2, there are number of areas in the Village that could support new rental housing units. These same areas could be developed for multi-family homeownership units such as condos or coops.

However, through partners such as Habitat for Humanity, affordable single-family homeownership units could be built anywhere within the Village of Philmont and not only within central Philmont. The Village already allows for accessory dwelling units, which in turn provide a revenue stream to homeowners and helps they pay for their housing costs.

Affordable Single Family Home on Eagle Street



In 2024, Habitat for Humanity completed construction of two affordable single family homes located at 18 Eagle Street.

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, or limited equity cooperatives.

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

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Housing Needs Addressed

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

- About 2/3rd 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. PBInc has successfully secured funds to rehabilitate older residential buildings and maintain them as affordable units. 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

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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. Adopt building & zoning regulations that encourage 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 1/3rd 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
- 1/3rd 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.

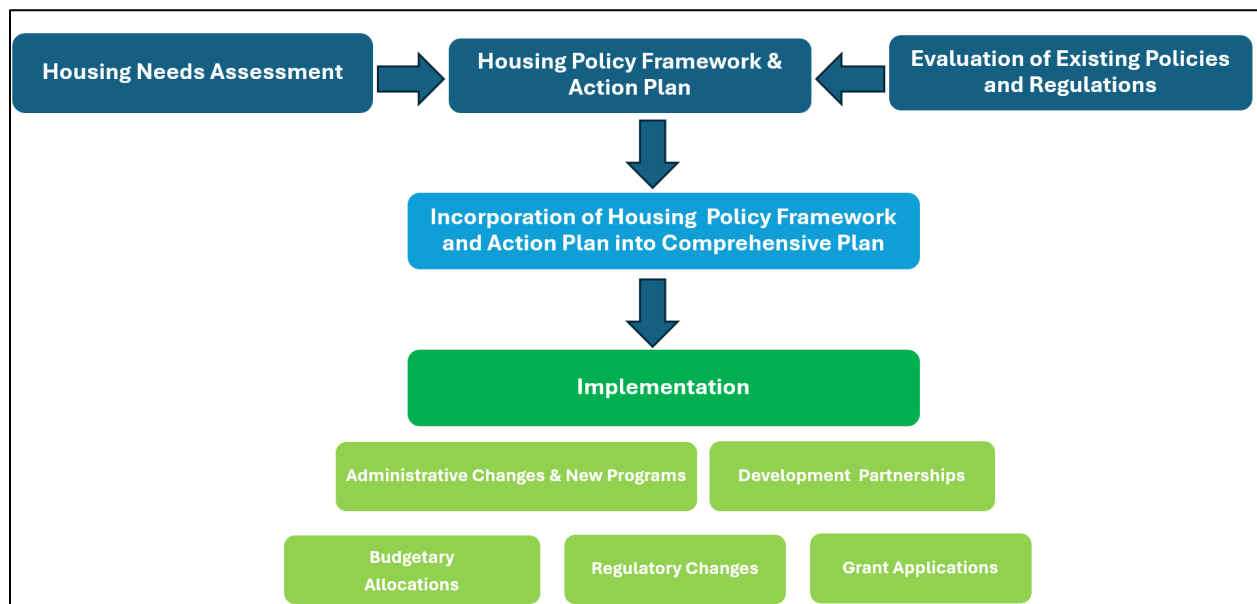
CHAPTER 4: IMPLEMENTATION PLAN

This chapter presents strategies for implementing the Village of Philmont’s housing policies and actions proposed in Chapter 3. As illustrated in the diagram below, implementation strategies 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.

See the Appendix for a preliminary work plan that presents the proposed housing policies and actions alongside a prioritization of the implementation strategies presented within this chapter.

Implementation Pathway for Housing Policy Framework and Action Plan



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

1A. Maintain low-density development patterns in peripheral areas

Implementation Strategies

- Preserve development restrictions in the Village’s RLD (Residential Low Density), C (Conservation), and R (Rural) zones.

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- Upon the adoption of the Village's updated Comprehensive Plan, the Village should undertake a comprehensive rewrite of its zoning code to ensure regulations are consistent with new policies including housing policies. Any changes in the zoning code, which has not been amended since 2006, should preserve the spatial extent of these areas in accordance with best practices for zoning in low-density areas.
- The rewriting of the zoning code should also focus on encouraging new development within the Main Street corridor, which already has existing mixed-use development and higher levels of density than other parts of the Village. By channeling development along its Main Street, the Village can maintain its low density residential neighborhoods which are further removed from the Village's center and adjoin more environmentally sensitive areas.

Best Practices and Case Studies

- Following the recent update of its Comprehensive Plan, the City of Poughkeepsie (NY) recently updated its zoning code for the first time in 40 years. The new zoning code encourages housing development and mixed-uses in the city's downtown while maintaining its outlying areas as lower density residential development.⁹

1B. Maximize protection of open space

Implementation Strategies

- Encourage the application of the Village's cluster zoning provisions in low density areas to maximize open space preservation. See Milwaukie example below.
- Explore the possibility of either acquiring environmentally sensitive areas such as the wooded areas near Summit Lake and placing them in a land trust or applying transfer of development (TDR) concepts.¹⁰

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.¹¹ The homeownership project is the first development moving forward as a result of recently updated cluster housing zoning regulations.¹² The project was made viable as a result of a deep analysis and subsequent reform of prior cluster housing regulations that had failed to materialize into

⁹ <https://www.pk4keeps.org/>

¹⁰ TDR programs enable the owner of one property (the "sending site") to transfer its development rights to the owner of a second property (the "receiving site"). TDR is a mechanism often used by municipalities seeking to preserve the ecological values of an environmentally sensitive areas. Through a TDR program, landowners in the environmental sensitive areas are able to sell their unused development rights as credits to the owners of properties in areas better suited for growth.

¹¹ <https://www.clackamas.us/housingauthority/shortstack-milwaukie>

¹² https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/123753/design_standards_form_cottages_revise_dppdf:https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/123753/design_standards_form_cottages_revised.pdf

development projects¹³; the structuring of the project by a community land trust; and the infusion of broad financial support from multiple sources including monies from a regional affordable housing bond.

- New York State's Department of State has provided guidance on TDR programs that defines its purposes, documents its legal basis, and provides case studies of its implementation.¹⁴
- The Town of Riverhead (NY) has established a transfer of development rights program in which the land development rights on farmland properties in its agricultural protection zone can be transferred to designated commercial and residential districts.¹⁵

1C. Encourage historic preservation of existing buildings

Implementation Strategies

- Facilitate the preservation and rehabilitation of mixed-use buildings with upper story residential uses on Main Street. Identify owners of these buildings and either work with them on rehabilitation plans or help facilitate the transfer of these buildings to new owners receptive to improving them. Submit rehabilitation plans 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.¹⁶

1D. Adopt design guidelines that protect Main Street's architectural heritage

Implementation Strategies

- Either through form-based code or traditional zoning, establish specific design guidelines that ensure that ensure visual harmony and architectural consistency between the existing buildings on Main Street and any new buildings constructed within the Main Street corridor.

¹³ https://www.milwaukieoregon.gov/sites/default/files/fileattachments/central_milwaukie/page/105971/milwaukie_cottage_cluster_financial_report.pdf

¹⁴ <https://dos.ny.gov/system/files/documents/2024/09/transfer-of-development-rights.pdf>

¹⁵ <https://ecode360.com/29712487>

¹⁶ https://www.ny.gov/sites/default/files/atoms/files/DRI_SuccessStory_Historic_Preservation.pdf;
<https://www.thebatavian.com/tags/jj-newberry-0>

Best Practices and Case Studies

- As part of the Main Streets Strategic Toolbox, Ulster County (NY) developed a guide for drafting design guidelines that help preserve the architectural heritage of a historic Main Street.¹⁷
- Kingston (NY) recently replaced its entire zoning code with a form based code.¹⁸
- The Form Based Code Institute, now Smart Growth America's Center for Zoning Solutions, has prepared guidance for communities seeking to adopt form based codes.¹⁹

Policy 2: Preserve and Expand Affordable Housing Supply for Renters

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

Implementation Strategies

- Form a Village Housing Committee charged with overseeing the preparation of a Housing Development Action Plan that would include strategies for producing housing on specific sites.
- 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. This inventory should include:
 - Larger parcels on Main Street with large undeveloped frontages and single story uses that could eventually be built at a greater level of intensity. Examples include the parcels currently occupied by Family Dollar, Cumberland Farms, and Philmont Car Wash.
 - Segments of roads that intersect with Main Street. Examples include Prospect Street, Maple Avenue, Railroad Avenue, and Eagle Street. The portion of these streets that is within short walking distance of Main Street are the segments that could be considered for a greater intensity of residential uses at varying scales of intensity depending on available parcels and environmental constraints.
 - Any vacant, underutilized, distressed, condemned or tax foreclosed parcels.
- 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 different types of housing could be built as of right. Potential considerations for zoning changes include:
 - Multi-family housing is only allowed in the M (Mill District) and the GB (General Business zone). Consider expanding the areas within the center of Philmont in which multi-family housing would be permissible as of right. Potential zones for multi-family housing include

¹⁷<https://ulstercountyny.gov/sites/default/files/documents/MS%20Planning%20Guide%203.1%20Design%20Guidelines%20for%20MS.pdf>

¹⁸ https://www.kingston-ny.gov/filestorage/8399/8469/48370/KingstonForward_DevelopmentGuide_V1.0.pdf

¹⁹ <https://smartgrowthamerica.org/zoning/form-based-codes/>

the sections of H-1 (Hamlet 1), H-2 (Hamlet), and H-3 (Hamlet 3) that are closest to Main Street; RHD (Residential High Density); and M-2 (Mill District 2).

- Redefine the intent and purpose of the zoning districts to remove inaccurate or confusing descriptions. For example, the RHD (Residential High Density) zone allows for ¼ acre minimum lot sizes, which is smaller than the minimum lot size of other zones, but not “high-density”. Moreover, multi-family housing is not allowed within the RHD zone. The RSC (Residence Senior Citizen) district is defined as suitable for “affordable senior citizen housing” but it is not the only permissible use. Moreover, senior housing should not be restricted only to this zone. More broadly, the inclusion of three different hamlet zones and two different mill districts is confusing. The zones should be reorganized with new and distinct names with a clear public policy purpose consistently identified within each zone. This reorganization will help designate the areas of the Village that are appropriate from multi-family housing while persevering the vast majority of the Village for lower density housing.
- The GB (General Business) zone allows for single-family, two-family and multi-family homes but does not allow for senior citizen housing. Retail uses are allowed as of right so long as there are less than three retail stores in the building. Other commercial uses including restaurants require a special use permit. The GB zone allows for 4,000 sf minimum lot sizes and zero side setbacks but requires 10ft front setbacks and 15 ft rear setbacks. Building heights are capped at 35 feet and 2.5 stories. As the historic commercial spine of the Village, the GB zone has the potential to serve as a mixed use corridor that enhances the supply of housing, promotes economic development, and preserves existing character. To achieve these objectives, the Village should contemplate the following changes:
 - Enable all types of housing including senior housing and all types of commercial uses as of right
 - Remove front setbacks so that buildings are flush with the front lot line and encourage walkability.
 - Enable higher permissible building heights such as 45 feet and 3.5 stories either as of right or as part of development incentives offered in exchange for public benefits such as affordable housing, green building elements, or community spaces.
- The current zoning map features a GB (General Business) zone that is flanked by the H (Hamlet), M (Mill Districts), and the RHD (Residential High Density) zones. The spatial extent of these districts does not provide a strategy for supporting infill development on properties that are within closer proximity of Main Street. In order to support increased supply and diversification of housing, the Village should contemplate the following changes:
 - Create a transitional band between the edge of the GB zone and a more interior extent of the H, M, and RHD Districts. This band, perhaps 1/10th of a mile in width, would allow for smaller lot sizes (1/8 acre) and accessory units as of right.
 - Determine the precise contours on the basis of existing uses and environmental constraints. The general concept, however, would be to encourage housing

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- production within walking distance of Main Street, where the building scale is already higher and the commercial uses would benefit from increased street traffic.
- Beyond the band, preserve low density uses with higher minimum lot size requirements such as 1/2 acre.
- Adopt inclusionary zoning (IZ) 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.) The IZ regulation could be made applicable only to certain areas of the Village, like the Main Street corridor, or to certain scale of buildings, such as only buildings with over 8 units. Additionally, the regulation could be adopted not as a requirement but rather as an incentive in which higher levels of density would be granted to a developer in exchange for the developer's provision of affordable units.
 - 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.)
- Support the acquisition of key parcels and assembly of parcels by affordable housing developers and help guide them through the Village's regulatory procedures and land use approval process.

Best Practices and Case Studies

- In 2022, the Town of Rochester (NY) in Ulster County formed a housing committee that is currently overseeing production of Housing Development Action Plan.
- The City of Hudson (NY) formed a Housing Task Force in 2017. The Task force oversaw the production of a Strategic Housing Action Plan in 2018, which was followed by the completion of an Affordable Housing Development Plan by Pattern for Progress in 2021²⁰
- In 2009, the Village of Ossining adopted an Inclusionary Housing policy.²¹ 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.
 - 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-

²⁰ <https://cms3.revize.com/revize/hudsonny/Hudson%20Draft%20Report%20FINAL%20November%202021.pdf>

²¹ <https://www.villageofossining.org/planning-department/pages/affordable-housing-requirements>

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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.²²

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

Implementation Strategies

- Consider adoption of New York State Real Property Tax Exemption 421-P*2 to provide tax exemptions on the increased property value that result from construction of accessory dwelling units.²³ The State law permits the exemption to last for ten years with a graduated reduction in the permissible amount of exemption. However, the State law also allows municipalities to define their programs with a lower amount of permissible exemption even in the first year of its issuance. The exemption applies to the amount of increased value resulting from the accessory unit rather than the entire value of the property.
- 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 2024.²⁴

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

Implementation Strategies

- Partner with existing non-profit housing organizations (Columbia County Habitat for Humanity, Trillium Land Trust, and 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.
- Adopt the NYS Real Property Tax Exemption 421-P for newly-constructed or converted rental multiple dwellings to incentivize construction of affordable rental housing.²⁵

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 2024.²⁶

²² <https://beaconny.gov/wp-content/uploads/2024/07/City-of-Beacon-Workforce-Housing-Applicaiton-June-2024.pdf>

²³ https://www.nysenate.gov/legislation/laws/RPT/421-P*2

²⁴ https://kingston-ny.gov/filestorage/8399/8469/48370/LL_6_of_2024.pdf; <https://kingston-ny.gov/news/?FeedID=3215>

²⁵ <https://www.nysenate.gov/legislation/laws/RPT/421-P>

²⁶ https://www.kingston-ny.gov/filestorage/8399/10476/11808/11810/Local_Law_7_of_2024.pdf;
<https://hudsonvalleyone.com/2024/06/06/kingston-mayor-steve-noble-explains-housing-tax-break/>

2D. Regulate short-term rentals

Implementation Strategies

- Opt into Columbia County's short term rental registry.
 - Columbia County recently received approval from New York State to apply a 4% hotel and lodging tax that would apply to all guest accommodations in the County including short term rentals.²⁷ The tax will not be subjected to properties within the City of Hudson nor will it be applied to accommodations rented for a period greater than 30 days. As part of the County's implementation of the tax, the Village of Philmont may also participate in the short term rental registry maintained by the Village's contractor, Granicus.
 - By participating in the County's short-term rental registry and its accompanying services, the Village can document the number of short-term rentals within Philmont, monitor compliance with the Village's own regulations on short-term rentals, and ensure collection of the County tax.
- Monitor changes in New York State law that could create a statewide short-term rental registry and authorize municipal lodging taxes.
 - A bill proposing a statewide short-term registry and authoring municipal sales and occupancy taxes was recently passed with bipartisan support by the New York State legislature and awaits approval by Governor Hochul.²⁸
 - If the statewide registry is adopted, the Village will need to evaluate the best way for it to monitor short-term rentals, whether through the State registry or the County registry. Moreover, the Village will need to determine whether or not it will assess its own lodging tax in addition to the County tax.
- Contemplate the possibility of short-term rental regulations in Philmont that would go beyond registering and taxing them and also establish provisions on the eligibility, duration, frequency, extent, and terms for short-term rentals. Examples of these provisions may be drawn from the case studies provided below from Ulster County, Germantown, and Hudson.

Best Practices and Case Studies

- Ulster County has established best practice guidance on short term rental policies.²⁹ This guidance suggests that municipalities consider the following elements in their adoption of short-term rental regulations:
 - Limit short-term rentals to owner-occupied units OR Limit the total number of short-term rentals to 2 percent of the total housing stock.

²⁷ <https://www.nysenate.gov/legislation/bills/2023/A10056>

²⁸ <https://www.nysenate.gov/legislation/bills/2023/S885/amendment/C>

²⁹ <https://hsci.ulstercountyny.gov/housing-smart-actions/adopt-short-term-rental-regulations/>

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- Require short term rental operators to register their rented unit through a municipal registry process.
- Require short term rental operators to pay a fee to cover the cost of administration of the registration program.
- Require that short term rental units are inspected for safety.
- Germantown (NY) formed a committee tasked with researching short-term rental policies.³⁰ The committee undertook a comprehensive evaluation of short term rental policies from other municipalities in Columbia County and considered the rationale of various short-term rental regulations and contemplated the potential outcomes of different provisions.³¹ In March 2024, the Germantown Town Board held a public hearing on a draft short-term rental ordinance.³² The terms of the proposed policy are summarized below:
 - The policy applies to short term rental units for a period of less than 30 consecutive days. Hotels, motels, and bed & breakfast accommodations are not regulated by the policy. Units rented while the owner is on vacation are exempted from the policy.
 - In order to rent out a housing unit for a short-term, the owner must apply for and receive a permit from the Town of Germantown.
 - An owner is restricted to one permit per 12 month period.
 - The total number of short-term rental permits is limited to 6% of the total stock of single family homes in the Town.
 - Units must be inspected prior to the issuance of a permit.
 - The host of the short term rental unit must reside within a 25 mile radius of the rented unit.
 - Seasonal permits are available for the period between May 15th and September 15th. Seasonal permits are not subject to the permit cap that limit the number of year-round short-term rentals.
- Hudson (NY) established a new short term rental policy in 2020.³³ The regulation stipulates:
 - 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
 - Short term rental unit may not be above a building's second floor 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

³⁰ <https://germantownny.org/short-term-rental-committee/>

³¹ https://drive.google.com/drive/folders/1n5V98FkVEoV3bmF59t6VautpYLM_I3Zi

³² https://germantownny.org/wp-content/uploads/2024/02/Short-Term-Rental-Regulation-Draft_022824.pdf

³³ <https://ecode360.com/HU0410/laws/LF1253106.pdf>

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- Estimate of future rental periods
 - Application Fee
- o Violation of rules result in fines of \$1K to \$7.5K

2E. Consider adoption of good faith eviction law

Implementation Strategies

- Review the terms of New York States' Good Faith Eviction Laws and determine whether or not adoption of the law is an appropriate method for protecting Philmont renters from unfair evictions or exorbitant rent increases.
 - o In April 2024, New York State's legislature adopted a good faith eviction law as part of the 2024/25 budget.³⁴ The new law generally applies to older rental buildings with non-luxury units that are priced below a certain fair market value threshold. Municipalities are not automatically subjected to the law. Instead, they may opt into the law with some latitude to define its scope in terms of the types of buildings it covers and the fair market value threshold. The law provides a list of reasons that would allow landlords to legitimately evicting tenants or withholding lease renewals from a current renter. However, the law also precludes landlords from evicting tenant for unfair reasons including unreasonable rent increases as defined by a cap comprised of the rate of inflation plus an additional 5%.

Best Practices and Case Studies

- The Village of Nyack adopted the good faith eviction law in September 2024.³⁵ Nyack's law exempts units that are priced 345% above the fair market rent as published by HUD. Nyack also exempts landlords who own only 1 rental unit from having to comply with the new law.
- In addition to New York City, other communities that have adopted the good faith eviction law include: Albany, Kingston, Ithaca, Poughkeepsie, Beacon, Hudson, New Paltz, and Newburgh.

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 Strategies

- Adopt NYS Real Property Tax Exemption 485x 'Affordable Neighborhoods for New Yorkers' to incentivize construction of affordable homeownership units.³⁶ The Village should examine the

³⁴ <https://www.nysenate.gov/legislation/laws/RPP/A6-A>

³⁵ <https://www.nyack.gov/media/Clerk/2024/Local%20Laws/LL%20NYS%20Filing%20-%20Good%20Cause%20Eviction%20-%2009.26.2024.pdf>

³⁶ <https://www.nysenate.gov/legislation/laws/RPT/485-X>

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options for adjusting the terms of this exemption in terms of its scale of exemption, graduated declining amount of exemption, and duration.

- Coordinate with Columbia County on funding opportunities for first-time homeownership programs and rehabilitation assistance for existing homeowners.
- 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 as homeownership units affordable housing development organizations including Columbia County, Habitat for Humanity, and Trillium Land Trust. 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). The project has been submitted for funding under North Bellport's New York Forward Strategic Implementation Plan.³⁷

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

Implementation Strategies

- Consider Village adoption of the property tax exemptions offered by the Town of Claverack for seniors, low-income residents with disabilities, veterans, and first responders.
- As part of the development of new homeownership units, opt into New York State Real Estate Tax Exemption 457 for first-time homebuyers of newly constructed homes.³⁸ The duration of the tax exemption can be set for a maximum of five years or for a shorter period as desired by the adopting municipality. (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.³⁹ The duration of the tax exemption can be set for a maximum of 12 years or for a shorter period as desired by the adopting municipality. (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 Tax Exemption 457 to be used by first-time homebuyers.⁴⁰
- Kiryas Joel (NY) includes provisions in its code for Tax Exemption 421-E.⁴¹

³⁷ https://longislandadvance.net/detail.html?sub_id=ab75e676b0

³⁸ <https://www.nysenate.gov/legislation/laws/RPT/457>

³⁹ <https://www.nysenate.gov/legislation/laws/RPT/421-E>

⁴⁰ <https://www.ramapo.org/page/news-7/news/introductory-local-law--first-time-homebuyers-property-tax-exemption-847.html>

⁴¹ <https://ecode360.com/11011012#11011011>

Policy 4: Improve Housing Conditions

4A. Adopt tax incentives for home improvements

Implementation Strategies

- 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. The tax exemption is allowed for a maximum of eight years and can be applied to a maximum \$80,000 or minimum \$5,000 change in market value of the improved property. The locality also has the flexibility to offer a lower rate of exemption than what is permissible under State law.⁴²

Best Practices and Case Studies

- Localities that have adopted the home improvement law include Portville⁴³, Port Jervis⁴⁴, Buffalo⁴⁵, and Albany.⁴⁶

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

Implementation Strategies

- Coordinate with Columbia County on the County's potential to direct Community Development Block Grant monies toward housing rehabilitation assistance and façade improvement programs that build upon and support the work done by PBInc in these areas.
- Capitalize a fund for housing rehabilitation through the New York State Downtown Revitalization/ New York Forward initiative. This fund could be established and maintained by a third party, thereby reducing the level of administrative burden on the Village.

Best Practices and Case Studies

- In 2023, Dutchess County (NY) created a Senior Citizen Owner-Occupied Property Rehabilitation Program.⁴⁷
- Kingston (NY) established a grant program with DRI monies that enabled low-income homeowners to receive financial assistance on the rehabilitation of their homes.⁴⁸

⁴² <https://www.nysenate.gov/legislation/laws/RPT/421-F>

⁴³ <https://www.portvilleny.net/uploads/1/3/2/0/132023476/113.2008.pdf>

⁴⁴ <http://www.portjervisny.org/wp-content/uploads/2015/04/421f-Residential-Improvement-Application.pdf>

⁴⁵ <https://www.buffalony.gov/DocumentCenter/View/1477/Capital-Improvements-Exemption-Eligibility-Requirements-PDF?bidId=>

⁴⁶ <https://ecode360.com/7685121>

⁴⁷ <https://www.dutchessny.gov/Departments/Aging/Senior-Citizen-Owner-Occupied-Property-Rehabilitation-Program.htm>

⁴⁸ <https://engagekingston.com/dri-residential-rehab>

4C. Optimize code enforcement process

Implementation Strategies

- 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.)
- Evaluate the impact of the Stretch Code on rehabilitation efforts, costs, and savings.
- 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.⁴⁹
- Elmira, New York is one of several New York communities that uses BuildingBlocks, which is a data tool for Code Enforcement officers that digitally tracks and maps code enforcement violations.⁵⁰ By having a digital repository of violations, there is greater transparency about the status of a violation as well as increased accountability for correcting the issue. The digital platform also allows for the easy creation of municipal wide reports and maps that show trends in building violations and the parts of a locality where they are spatially concentrated.

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

Implementation Strategies

- 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.
- Consider adoption of a local law that would limit landlord 's potential to initiate evictions unless their properties are registered. (See Syracuse example below).
- 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.

⁴⁹ <https://greece.ny.gov/2016/10/13/town-of-greece-awarded-175k-grant-to-combat-zombie-properties/>

⁵⁰ <https://www.toilemi.com/building-blocks>

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- 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.
- Coordinate the inspection process for the rental registry with the inspections conducted as part of Section 8/Housing Voucher awards to avoid the possibility of duplicate inspections.

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.⁵¹
- 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.⁵²

4E. Improve administration of vacant property registry

Implementation Strategies

- Continue to monitor opportunities for using the NYS Foreclosure Database as a potential tool for managing zombie properties.⁵³
- 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. See example below from Greece (NY).
- 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

⁵¹ <https://www.syracuse.com/news/2020/09/syracuse-lawmakers-ban-evictions-by-landlords-who-snub-citys-rental-registry.html>

⁵² <https://ecode360.com/32887227>

⁵³ https://www.dfs.ny.gov/apps_and_licensing/mortgage_companies/foreclosure_filing_system

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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.⁵⁴
- Jamestown (NY) adopted a 19A building reuse program aimed at acquiring distressed properties and conveying them to new owners committed to their rehabilitation.⁵⁵

Policy 5: Incentivize Wider Variety of Housing Units

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

Implementation Strategies

- Consider revisions to the zoning code that would 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 (SDC) 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.⁵⁶ Additional best practice guidance on the development of smaller homes is available from the Urban Sustainability Directors Network⁵⁷.

⁵⁴ <https://greece-ny.gov/2016/02/19/supervisor-bill-reilich-proposes-toughest-vacant-and-abandoned-property-regulations-in-the-area>; <https://greece-ny.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/>

⁵⁵ <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>

⁵⁶ <https://sustainablecitycode.org/brief/varying-unit-sizes-within-multi-family-and-mixed-use-buildings/>

⁵⁷ <https://sustainableconsumption.usdn.org/initiatives-list/encouraging-development-of-smaller-homes>

APPENDIX: PRELIMINARY WORK PLAN

The table below summarizes the policy goals, actions, and implementation strategies that the Philmont Housing Study concluded would be most effective in addressing the housing needs of the Village's current and future residents. The implementation strategies have been assigned an initial level of prioritization based upon the urgency of the issues they address and their anticipated scale of impact in meeting the housing needs of Philmont residents.

- High priority implementation strategies address Village-wide needs such as housing security or unsafe conditions that will exacerbate if not immediately addressed.
- Medium priority implementation strategies address important housing needs but that may require preceding actions and more robust research before implementation.
- Low priority implementation strategies will enhance the overall residential experience of Village residents but do not impact a large number of residents or address an urgent need.

It is expected that the Village will embed these strategies within the larger implementation work plan expected to emerge out of the Village's update to its Comprehensive Plan.

Proposed Work Plan Including Housing Policies, Actions and Implementation Strategies

Proposed Implementation Strategy	High Priority	Medium Priority	Low Priority
POLICY 1: PRESERVE PHILMONT'S RESIDENTIAL NEIGHBORHOODS, VIEW CORRIDORS, AND OPEN SPACES			
1A. Maintain low-density zoning in neighborhoods			
<ul style="list-style-type: none"> ▪ Preserve development restrictions in the Village's RLD (Residential Low Density), C (Conservation), and R (Rural) zones. 	✓		
1B. Maximize protection of open space			
<ul style="list-style-type: none"> ▪ Encourage the application of the Village's cluster zoning provisions in low density areas to maximize open space preservation. 			✓
<ul style="list-style-type: none"> ▪ Explore the possibility of either acquiring environmentally sensitive areas such as the wooded areas near Summit Lake and placing them in a land trust or applying transfer of development (TDR) concepts. 		✓	
1C. Encourage historic preservation of existing buildings			
<ul style="list-style-type: none"> ▪ Facilitate the preservation and rehabilitation of mixed-use buildings with upper story residential uses on Main Street. 		✓	
1D. Adopt design guidelines that protect Main Street's architectural heritage			
<ul style="list-style-type: none"> ▪ Establish specific design guidelines that ensure that ensure visual harmony and architectural consistency between the existing buildings on Main Street and any new buildings constructed within the Main Street corridor. 		✓	

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Proposed Implementation Strategy	High Priority	Medium Priority	Low Priority
POLICY 2: PRESERVE AND EXPAND AFFORDABLE HOUSING SUPPLY FOR RENTERS			
2A. Revise zoning regulations to encourage housing production in appropriate parts of the Village			
<ul style="list-style-type: none"> Form a Village Housing Committee charged with overseeing the preparation of a Housing Development Action Plan that would include strategies for producing housing on specific sites. 	✓		
<ul style="list-style-type: none"> Inventory the parcels in the Village could eventually support a higher intensity of residential uses. 	✓		
<ul style="list-style-type: none"> Undertake a revision of the zoning code to increase the locations in which different types of housing could be built as of right. 	✓		
<ul style="list-style-type: none"> Support the acquisition of key parcels and assembly of parcels by affordable housing developers and help guide them through the Village's regulatory procedures and land use approval process. 	✓		
2B. Promote Accessory Dwelling Units through financial incentives & streamlined approvals			
<ul style="list-style-type: none"> Consider adoption of New York State Real Property Tax Exemption 421-P*2 to provide tax exemptions on the increased property value that result from construction of accessory dwelling units. 		✓	
<ul style="list-style-type: none"> Continue to promote resident participation in the Columbia County Plus One Program. 	✓		
2C. Pursue funding programs that would help non-profit housing developers to build affordable rental housing in Philmont			
<ul style="list-style-type: none"> Adopt the NYS Real Property Tax Exemption 421-P for newly-constructed or converted rental multiple dwellings to incentivize construction of affordable rental housing. 		✓	
2D. Regulate short-term rentals			
<ul style="list-style-type: none"> Opt into Columbia County's short term rental registry. 	✓		
<ul style="list-style-type: none"> Monitor changes in New York State law that could create a statewide short-term rental registry and authorize municipal lodging taxes. 		✓	
<ul style="list-style-type: none"> Contemplate the possibility of short-term rental regulations in Philmont that would go beyond registering and taxing them and also establish provisions on the eligibility, duration, frequency, extent, and terms for short-term rentals. 			✓
2E. Consider adoption of good faith eviction law			
<ul style="list-style-type: none"> Review the terms of New York States' Good Faith Eviction Law and determine whether or not adoption of the law is an appropriate method for protecting Philmont renters from unfair evictions or exorbitant rent increases. 	✓		
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			
<ul style="list-style-type: none"> Adopt NYS Real Property Tax Exemption 485x 'Affordable Neighborhoods for New Yorkers' to incentivize construction of affordable homeownership units. 		✓	
<ul style="list-style-type: none"> Coordinate with Columbia County on funding opportunities for first-time homeownership programs and rehabilitation assistance for existing homeowners. 		✓	
<ul style="list-style-type: none"> Apply to New York State's DRI/NYF program to fund an affordable homeownership program. 	✓		

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Proposed Implementation Strategy	High Priority	Medium Priority	Low Priority
<ul style="list-style-type: none"> Identify more properties for acquisition and redevelopment as homeownership units by affordable housing development organizations including Columbia County, Habitat for Humanity, and Trillium Land Trust. 	✓		
3B. Adopt tax incentives that reduce the costs of homeownership			
<ul style="list-style-type: none"> Consider Village adoption of the property tax exemptions offered by the Town of Claverack for seniors, low-income residents with disabilities, veterans, and first responders. 		✓	
<ul style="list-style-type: none"> Opt into New York State Real Estate Tax Exemption 457 for first-time homebuyers of newly constructed homes. 		✓	
<ul style="list-style-type: none"> Consider adoption of New York State Real Estate Tax Exemption 421-E for new or converted condo, coop, or rental buildings. 		✓	
POLICY 4: IMPROVE HOUSING CONDITIONS			
4A. Adopt tax incentives for home improvements			
<ul style="list-style-type: none"> 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. 		✓	
4B. Provide financial support for home improvements and façade improvements			
<ul style="list-style-type: none"> Coordinate with Columbia County on the County's potential to direct Community Development Block Grant monies toward housing rehabilitation assistance and façade improvement programs. 		✓	
<ul style="list-style-type: none"> Capitalize a fund for housing rehabilitation through the New York State Downtown Revitalization/ New York Forward initiative. 	✓		
4C. Optimize code enforcement process			
<ul style="list-style-type: none"> Establish a new tracking and communications platform that makes it easier, faster, and cheaper to monitor violations and ensure they have been remedied. 	✓		
<ul style="list-style-type: none"> 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. 		✓	
<ul style="list-style-type: none"> Evaluate the impact of the Stretch Code on rehabilitation efforts, costs, and savings. 			✓
<ul style="list-style-type: none"> 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. 	✓		
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			
<ul style="list-style-type: none"> 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. 		✓	
<ul style="list-style-type: none"> Consider adoption of a local law that would limit landlord 's potential to initiate evictions unless their properties are registered. 		✓	
<ul style="list-style-type: none"> 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. 		✓	

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Proposed Implementation Strategy	High Priority	Medium Priority	Low Priority
<ul style="list-style-type: none"> 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. 		✓	
<ul style="list-style-type: none"> Use the code enforcement tracking technology as the same portal for tracking compliance with the rental registry (and the vacant property registry). 	✓		
<ul style="list-style-type: none"> 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. 			✓
<ul style="list-style-type: none"> Coordinate the inspection process for the rental registry with the inspections conducted as part of Section 8/Housing Voucher awards to avoid the possibility of duplicate inspections. 			✓
4E. Improve administration of vacant property registry			
<ul style="list-style-type: none"> Continue to monitor opportunities for using the NYS Foreclosure Database as a potential tool for managing zombie properties. 	✓		
<ul style="list-style-type: none"> 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. 		✓	
<ul style="list-style-type: none"> 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. 			✓
POLICY 5: INCENTIVIZE WIDER VARIETY OF HOUSING UNITS			
5A. Adopt building & zoning regulations that encourage development of smaller units			
<ul style="list-style-type: none"> Consider revisions to the zoning code that would incentivize the creation of efficient dwelling units (or micro-units) and congregant housing (private living areas with communal spaces). 		✓	
<ul style="list-style-type: none"> Modify the zoning code provisions on minimum lot size, set back requirements, and subdivision requirements to allow for the construction of smaller homes. 		✓	