



TESTIMONY OF REGIONAL PLAN ASSOCIATION ON THE FY 2023 EXECUTIVE BUDGET - HOUSING PORTION

Thank you for the opportunity to submit testimony. My name is Moses Gates, and I am the Vice President for Housing and Neighborhood Planning at Regional Plan Association. RPA is a non-profit civic organization that conducts research, planning and advocacy to improve economic opportunity, mobility, environmental sustainability and the quality of life for those who live and work in the New York metropolitan region.

Prior to the pandemic, housing insecurity was already evident across the entire region. In New York State alone, and prior to the pandemic, more than 1,000,000 owner-occupied households (28% of all owners) were paying more than a third of their monthly income towards mortgages and/or maintenance costs. New York State renters were in worse condition. Approximately 1,600,000 renter households (52% of all renters) met the same definition of being housing cost-burdened. The pandemic has obviously only exacerbated these trends.

To address housing insecurity and affordability over the long term we need many tools. Statewide land use reforms is a critical one. Proper land use policy is a balance, a balance between the State addressing the overall needs of its citizens, municipalities implementing zoning and regulations that address these needs in a local context, and the right of individual property owners to use and improve their properties in the way they see fit.

In New York State this balance has been heavily tilted toward local municipalities, at the expense of both addressing statewide needs and allowing private property owners to use and improve their properties. Other states, including our neighbors in Connecticut, New Jersey and Massachusetts, have a much more robust State role in facilitating zoning reform and housing construction. That New York does not is the exception, not the rule. It is past time for the State to play its proper role in this balance.

We believe that the proposals in the Governor's Executive Budget to reform land use and increase housing supply will make substantial progress toward both alleviating our housing crisis and addressing residential segregation in the regions, and we wholeheartedly lend our support. Specifically:

Legalizing and encouraging new accessory dwelling units. According to RPA's findings, legalizing ADUs could add over 300,000 naturally occurring affordable homes to the region, all without needing major new construction or infrastructure. ADU's have huge benefits for individual homeowners, allowing them more flexibility with their home, a potential extra income to assist with property taxes and expenses, and seniors to have live-in caretakers and age in

place. And they will also provide much needed new housing options for people who currently can't afford to live near jobs or family in exclusionary neighborhoods without affordable housing.

We also applaud the \$85 million in assistance for low and moderate-income households to create ADUs. We would also ask that specific funds also be dedicated to technical assistance to help municipalities write these new regulations and zoning text.

For New York City, the proposed ability of the city to put in place an amnesty program which will let them improve and legalize illegal ADUs is critical. We cannot require people to effectively choose between living in unsafe living conditions and homelessness. Ensuring that people living in these illegal ADUs have safe conditions and bringing their dwellings up to code is the correct third option. Health, safety and sanitation are paramount in all housing, and the proposal ensures that local governments retain the ability to properly set these standards when it comes to ADUs. To the extent additional specific safety standards may need to be spelled out, we encourage the legislature to engage with architecture and building engineering professionals to set them.

Finally, in order to make building more ADUs practical as well as simply technically allowed, ADUs outside New York City need to also be allowed waivers from Multiple Dwelling Law rules - as single and two-family homes already are - in order to not burden their creation with regulations meant for large multifamily buildings.

Encouraging Transit-Oriented Development. RPA has also long been a proponent of transit-oriented development, and are excited to see the governor's proposal to encourage it. We believe that 25 units per acre is an appropriate minimum density for smaller sites near transit - for context, your average 2-family home neighborhood in the outer boroughs is small site development of about 25 DU/acre - but that on larger sites more density would be more appropriate. 25 units an acre on a large site will generally take the form of a 4 or 5 story building with a large parking lot or other unused space. In these cases added density will not add any height, but simply add more buildings and reduce the size of parking lot or unused space. We would like to see this proposal also be extended to encompass the commuter rail stops in and near New York City, which are also in need of more transit-oriented development. For instance, much of the area around the Riverdale Metro North stop, has an effective density of less than 5 units an acre.

Allowing more housing in Manhattan. We are in favor of allowing more mixed-income housing to be built within the urban core by enabling New York City to [lift the 12 FAR cap](#). We applaud the way this was written, where the cap stays in place unless New York City specifically takes action to rezone an area for more residential density. This will both ensure that any new housing is mixed-income housing, as New York City must apply an Inclusionary Zoning component with any residential upzoning, and also let New York City be intentional about the form of any new buildings. The buildings which are most often cited as concerns when it comes to this proposal - supertall luxury towers without any affordable housing - have all been built as-of-right, under current rules. Lifting the 12 FAR cap and rezoning for added density would let

New York City eliminate the ability to build these type of buildings and require the mixed-income housing we desperately need in these high-market areas, and in more contextual buildings as well. We are also supportive of allowing the conversion of underutilized commercial buildings and hotels to affordable housing, which will also help to address housing needs in core Manhattan.

These housing production proposals should be taken as a package. Adding much needed housing in the region's core, its smaller downtowns, and its single-family suburbs are all needed. These proposals together make clear that it isn't just one area or neighborhood type that needs to help with our housing crisis, but that it is all of our responsibilities. It should be noted, however, that these proposals do represent a significant new responsibility for state agencies, in terms of monitoring, enforcement and technical assistance. Funding and personal appropriate for these new responsibilities need to accompany this legislation.

Finally, beyond these housing production proposals, there is much else to applaud in the housing package. Specifically, the proposed Five Year Housing Plan and it's focus on supportive housing and electrification; improved fair housing protections including more dedicated funding for testing; more legal assistance for tenants facing eviction beyond New York City; and the proposed pilot program for community-controlled homeownership.

This new focus on housing affordability from the State is something RPA, and many others, have long awaited. We greatly support this new focus, and look forward to working together to help our residents have more housing choice and less insecurity.

Thank you for the opportunity to testify,

Moses Gates