Table of Contents

STORY MAP ENDORSEMENTS	5
INTRODUCTION	7
Preliminary Analysis	8
Population Center Land Use Analysis	12
Canton	12
Gouverneur	17
Massena	22
Ogdensburg	29
Potsdam	36
CONCLUSION	41
Exclusionary Zoning in the Courts	41
Form-Based Zoning	42
Zoning Code Updates	44
Population Center Zoning Updates	48
Pro-Housing Communities	51
Vacant Housing	52
Housing Assistance Availability	52
Other Strategies for Affordable Housing	53
Closing	54
GLOSSARY OF TERMS	55
SOURCES	60
PHOTO GALLERY	62
(FIGURE 1 - Map of SLC population centers with zoning districts - Full View)	62
(FIGURE 1a - Map of SLC population centers with zoning districts - Gouverneur Close Up)	63
(FIGURE 2 - Equalization Rate Adjustments by Residential Zone Table)	63
(FIGURE 3 - Map depicting MTAv by residential zone - Full View)	64
(FIGURE 3a - Map depicting MTAv by residential zone - Massena Close Up)	65
(FIGURE 4 - Image gallery: Analysis for every residential zoning district in SLC population cent Table Format)	
(FIGURE 5 - Image gallery: Percentage of apartments and one-family residences in SLC popular centers - Graph Format)	
(FIGURE 6 - Image gallery: MTAv by residential district in SLC population centers - Chart Form	ıat)69

(FIGURE 7 - 1966 Village of Canton land uses)	71
(FIGURE 8 - 1966 Village of Canton neighborhoods)	71
(FIGURE 9 - 1966 Village of Canton ATC neighborhood)	72
(FIGURE 10 - 1966 Village of Canton Southwest neighborhood)	72
(FIGURE 11 - 1966 Village of Canton South neighborhood)	73
(FIGURE 12 – 1966 Village of Canton Southeast neighborhood)	73
(FIGURE 13 - 1966 Village of Canton Northeast neighborhood)	74
(FIGURE 14 - 1966 Village of Canton North neighborhood)	74
(FIGURE 15 - 1966 Village of Canton Central Business neighborhood)	75
(FIGURE 16 - 2023 Village of Canton land use with new areas)	75
(FIGURE 17 - 2023 Village of Canton land use)	76
(FIGURE 18 – 1969 Village of Gouverneur land uses)	76
(FIGURE 19 - 1969 Village of Gouverneur neighborhoods)	77
(FIGURE 20 - 1969 Village of Gouverneur neighborhood A)	77
(FIGURE 21 - 1969 Village of Gouverneur neighborhood B)	78
(FIGURE 22 - 1969 Village of Gouverneur neighborhood C)	78
(FIGURE 23 - 1969 Village of Gouverneur neighborhood D)	79
(FIGURE 24 - 1969 Village of Gouverneur neighborhood E)	79
(FIGURE 25 - Village of Gouverneur new areas since 1969)	80
(FIGURE 26 - 2023 Village of Gouverneur land uses)	80
(FIGURE 27 - Table IV, Housing Characteristics of Sampled Deficient Housing in all Survey Section Village of Massena)	
(FIGURE 28 - 1971 Village of Massena land use)	82
(FIGURE 29 - 1971 Village of Massena neighborhoods)	83
(FIGURE 30 - 1971 Village of Massena analysis area 1)	84
(FIGURE 31 - 1971 Village of Massena analysis area 2)	85
(FIGURE 32 - 1971 Village of Massena analysis area 3)	86
(FIGURE 33 - 1971 Village of Massena analysis area 4)	87
(FIGURE 34 - 1971 Village of Massena analysis area 5)	88
(FIGURE 35 - Village of Massena new areas since 1971)	89
(FIGURE 36 - 2023 Village of Massena land use)	89
(FIGURE 37 - 1971 City of Ogdensburg neighborhoods)	90
(FIGURE 38 – Table IV: Household Characteristics of Sampled Deficient Housing in all Survey Sect	
City of Ogdensburg)	91

(FIGURE 39 - 1971 City of Ogdensburg analysis area 1)	92
(FIGURE 40 - 1971 City of Ogdensburg analysis area 2)	92
(FIGURE 41 - 1971 City of Ogdensburg analysis area 3)	93
(FIGURE 42 - 1971 City of Ogdensburg analysis area 4)	93
(FIGURE 43 - 1971 City of Ogdensburg analysis area 5 and 6)	94
(FIGURE 44 - 2023 City of Ogdensburg Land Use)	94
(FIGURE 45 - 1964 Village of Potsdam land use)	95
(FIGURE 46 - 1964 Village of Potsdam planning districts)	96
(FIGURE 47 - 1964 Village of Potsdam housing unit assessment)	97
(FIGURE 48 - 1964 Village of Potsdam planning districts A & E)	98
(FIGURE 49 - 1964 Village of Potsdam planning district B)	99
(FIGURE 50 - 1964 Village of Potsdam planning district C)	100
(FIGURE 51 - 1964 Village of Potsdam planning district D)	101
(FIGURE 52 - Village of Potsdam new areas since 1964)	102
(FIGURE 53 - 2023 Village of Potsdam land uses)	102
(FIGURE 54 - Town of New Castle, NY)	103
(FIGURE 55 - Euclidean zoning. Otherwise known as "Traditional" zoning)	103
(FIGURE 56 - Town of Malta, NY FBC building types)	104
(FIGURE 57 - Village of Port Chester, NY)	105
(FIGURE 58 - Town of Malta, NY)	105
(FIGURE 59 - City of Kingston, NY)	106
(FIGURE 60 - Single-family neighborhood. Low-density development creates exclusion by income housing type)	
(FIGURE 61 - Local planning review flowchart. These processes may take up to a couple of month to timeline requirements)	
(FIGURE 62 – Large, empty parking lot. Lots like this exist everywhere, and may only be full a few times a year)	
(FIGURE 63 - Canton: Both corners of State Route 310 and US Route 11)	108
(FIGURE 64 - Canton: Miner St., "Midtown Plaza")	108
(FIGURE 65 - Gouverneur: US Route 11)	109
(FIGURE 66 - Massena: Walmart & Home Depot, off State Route 37)	109
(FIGURE 67 - Ogdensburg: Corner of Ford St. and State Route 37)	110
(FIGURE 68 - Ogdensburg: Patterson St.)	110
(FIGURE 69 - Ogdensburg: Walmart, corner of Ford St. and State Route 37)	111

(FIGURE 70 - Potsdam: Corner of Market St. and May Rd.)	111
(FIGURE 71 - Criteria Table)	112
(FIGURE 72 - Canton overhead imagery)	113
(FIGURE 73 - Gouverneur overhead imagery)	114
(FIGURE 74 - Massena overhead imagery)	115
(FIGURE 75 - Ogdensburg overhead imagery)	115
(FIGURE 76 - Potsdam overhead imagery)	116
(FIGURE 77 - NYS HCR logo)	116
(FIGURE 78 - Map of vacant residential parcels - Full View)	116
(FIGURE 78a - Map of vacant residential parcels – Ogdensburg Close Up)	117
(FIGURE 79 - Map of housing complexes in St. Lawrence County - Full View)	117
(FIGURE 79a - Map of housing complexes in St. Lawrence County - Potsdam Close Up)	118
(FIGURE 80 - Housing unit statistics in St. Lawrence County population centers)	118

ST. LAWRENCE COUNTY FAIR HOUSING TASK FORCE ENDORSEMENT OF THE ST. LAWRENCE COUNTY EXCLUSIONARY ZONING STORY MAP

WHEREAS, the Exclusionary Zoning Story Map identifies zoning barriers to affordable housing and offer strategies to mitigate those barriers, and

WHEREAS, the County Planning Office reviewed and researched historical documents, census data, and present day zoning regulations and identified where exclusionary zoning exists in St. Lawrence County, and

WHEREAS, the County Fair Housing Task Force oversaw the creation of the Story Map and offered suggestions and strategies to increase the availability of affordable housing, and

WHEREAS, the County Fair Housing Task Force held public meetings since August 27th, 2024 discussing sections of the Story Map, and

WHEREAS, the Fair Housing Task Force duly considered the facts, analyses, goals and strategies presented in the Story Map,

NOW, THEREFORE, BE IT RESOLVED, that the St. Lawrence County Fair Housing Task Force endorses the St. Lawrence County Exclusionary Zoning Story Map, and

BE IT FURTHER RESOLVED, after the Story Map is endorsed, Planning Staff will present it to municipalities for training and education.

9-11-2025

ST. LAWRENCE COUNTY PLANNING BOARD ENDORSEMENT OF THE ST. LAWRENCE COUNTY EXCLUSIONARY ZONING STORY MAP

WHEREAS, the Exclusionary Zoning Story Map identifies zoning barriers to affordable housing and offer strategies to mitigate those barriers, and

WHEREAS, the County Planning Office reviewed and researched historical documents, census data, and present day zoning regulations and identified where exclusionary zoning exists in St. Lawrence County, and

WHEREAS, the County Fair Housing Task Force oversaw the creation of the Story Map and offered suggestions and strategies to increase the availability of affordable housing, and

WHEREAS, the County Fair Housing Task Force held public meetings since August 27th, 2024 discussing sections of the Story Map, and

WHEREAS, the County Planning Board duly considered the facts, analyses, goals and strategies presented in the Story Map,

NOW, THEREFORE, BE IT RESOLVED, that the St. Lawrence County Planning Board endorses the St. Lawrence County Exclusionary Zoning Story Map, and

BE IT FURTHER RESOLVED, after the Story Map is endorsed, Planning Staff will present it to municipalities for training and education.

Exclusionary Zoning in St. Lawrence County

St. Lawrence County Fair Housing Task Force

By Preston Santimaw

*NOTE: This document is an alternative for those who cannot access the ArcGIS Online Story Map software. Some text may refer to maps that are not accessible from this document. Images and non-interactive maps are found in the photo gallery. Click on a link to view the corresponding image in the photo gallery, then click the link to come back to the text.

INTRODUCTION

*Exclusionary Zoning Defined

Exclusionary zoning, defined by Merriam-Webster as "a residential zoning plan whose requirements (as minimum lot size and house size) have the effect of excluding low-income residents," governs communities that may not realize its influence. It limits housing types in neighborhoods traditionally developed with single-family homes. Sometimes, municipalities preserve single-family housing built before zoning laws were enacted, a practice called "legacy zoning." However, this often results in communities segregated by income and socio-economic status, reducing low-income housing options like apartments or multi-family units. Exclusionary laws can also involve lengthy approval processes for multi-family housing. For example, a zoning code that permits single-family homes by right in all residential areas but restricts multi-family dwellings to specific zones via special use permits. This can be exclusionary because it disproportionately excludes low-income residents who usually live in multi-family housing.

*The Purpose of Zoning

The purpose of zoning regulations is to promote orderly development that benefits the health, safety, and overall welfare of the community. This authority is granted to municipalities by the New York State General City, Town, or Village Laws and the New York State Municipal Home Rule Law. As a result, the relationship between zoning and fair housing invites a unique discussion. These concepts can be either complementary or contradictory; the latter is exemplified by exclusionary zoning. It is within a municipality's rights to zone as it sees fit for the community's benefit, but this often conflicts with fair housing laws, particularly concerning the impacts on protected classes listed below. Frequently, laws that negatively affect lowincome housing also impact protected classes, as these groups often reside in low-income facilities.

*U.S. Fair Housing Act

The <u>U.S. Fair Housing Act of 1968</u> prevents discrimination by direct housing providers based on a person's race, religion, sex, national origin, familial status, or disability, categorized as protected classes. The <u>New York State Human Rights Law</u> provides additional protections based

on age, marital status, military status, sexual orientation, gender identity, and lawful source of income. The U.S <u>Department of Housing and Urban Development</u> (HUD) has interpreted the federal Fair Housing Act to include "housing practices that have a discriminatory effect, even if there has been no intent to discriminate" (National Low Income Housing Coalition). This concept is known as "disparate impact" and was written into law in 2013. In many cases, exclusionary zoning is the disparate impact of a municipality restricting certain housing types to specific areas. This analysis attempts to evaluate whether exclusionary zoning exists in any of St. Lawrence County's five largest population centers, and offer potential solutions to make these municipal zoning ordinances consistent with fair housing requirements. After all, fair housing is not just the law; it's the right thing to do!

*Housing Stock Availability

The limited availability of affordable housing stock is a problem that affects not only New York State, but also the U.S. as a whole, and a municipality might address this problem through its zoning code. In addition to governing land use, zoning codes typically have dimensional requirements that may inadvertently stall or hinder housing development. Minimum lot size or parking requirements, density restrictions, multi-family housing prohibition, and lengthy review processes all contribute to low housing availability and an inability to expand affordable housing stock. In addition to analyzing exclusionary zoning, this assessment will focus on strategies St. Lawrence County population centers can utilize to increase their affordable housing stock through zoning and other means.

NOTE: This analysis uses multiple terms interchangeably. They are as follows:

- "Zone" and "District"; both terms refer to a zoning district.
- "Low-income housing" and "Affordable housing"; both terms refer to housing that does not create a cost burden to the household.
- "Housing unit" and "Dwelling unit"; both terms refer to a unit that is lived in or otherwise available or intended for living quarters.
- "Single-family" and "One-family"; both terms refer to dwelling units or parcels of land occupied by or intended for one family.
- "Zoning code" and "Zoning ordinance"; both terms refer to zoning regulations.
- "Municipal" and "Local"; both terms refer to a village, city, or community.
- "Master plan" and "Comprehensive development plan"; both terms refer to a municipal-wide analysis that details aspects of the community including housing.

Preliminary Analysis

(FIGURE 1 - Map of SLC population centers with zoning districts)

*Population Center Zoning

This map depicts St. Lawrence County's five largest population centers: The Villages of Canton, Gouverneur, Massena, Potsdam, and the City of Ogdensburg. Zoom in to view zoning districts

to understand how these areas regulate development. Click **HERE** to view only the residential zoning districts ("residential zoning district" in this context refers to a district with a goal of residential development).

Zones are depicted similarly between population centers. Residential zones are depicted as follows: First-tier residential zones (R-1, R-A, R-SF, etc.) are **GREEN**; second-tier residential zones (R-2, R-B, R-MF, etc.) are **RED**; third-tier residential zones (R-3, R-C, Mixed-Use districts, etc.) are **YELLOW**; and fourth-tier residential zones (R-4, Group-dwelling districts, Mobile home districts, etc.) are **BLUE**.

Any additional visuals involving these zones will follow this color scheme. Refer to the legend for additional information.

*Median Total Assessed Value Data Analysis

Compared to other counties in the state, St. Lawrence County has the 3rd highest percentage of its population living below the poverty line (20.4%), according to the 2023 American Community Survey (ACS) 1-year estimates. Because it is not a densely populated area, small-scale census data in many places is statistically insignificant (margin of error estimates are higher than count estimates), even for population centers. This makes identifying population demographics in zoning districts difficult. Therefore, this analysis uses the median total assessed value (MTAv) for each residential parcel within a zoning district as a proxy for poverty data.

To determine the MTAv for each residential zoning district within a population center, ArcGIS Pro mapping was used to overlay zoning district shape files with parcel shape files. Additional calculations in Microsoft Excel determined the MTAv for all residential parcels within a zoning district. For the purpose of this analysis, "residential parcels" have a Real Property tax classification code in the 200s (residential) or 411 (apartments).

*Equalization Rate Adjustment

The <u>St. Lawrence County Real Property Office</u> stores publicly accessible data for total assessed value. Local tax assessors report this information, sometimes lower than market value, and the Real Property Office records the data. Adjusting the total assessed values to market rate requires "equalization rates" for each population center that is "under-assessed".

(FIGURE 2 - Equalization Rate Adjustments by Residential Zone Table)

The following table outlines these changes for each population center by residential zone. The "equalization rate" indicates the percentage of market value at which local assessors evaluate properties. The "percent increase" outlines how much total assessed values increase once they equalize to market value. The rest of the values indicate the reported MTAv (top) and the equalized MTAv (bottom).

The equalization process is complex; the state reviews all sales in a municipality, including residential, commercial, agricultural, and vacant properties. It compares these sales prices to the municipality's assessed values and calculates a ratio for each property type (assessed value to the sale price of the property type). The state then creates an overall ratio – the equalization rate. Equalization is necessary to ensure an equitable distribution of the tax burden across a shared taxing district. For example, every town pays taxes to its county, but one town may assess at a different rate than another. Equalizing the assessed values provides the county with the "full value" of the town and allows it to allocate the share of taxes for which each town is responsible.

For the purpose of this assessment, any mention of MTAv will refer to equalized MTAv unless otherwise specified. Please note that the City of Ogdensburg reported total assessed values at 100% market value in 2023, so equalization was not necessary.

(FIGURE 3 - Map depicting MTAv by residential zone)

*MTAv by Residential Zone

The following map shows MTAv for each residential zone in St. Lawrence County population centers.

The Village of Canton has the highest MTAv for all its residential parcels (\$160,135), followed by Potsdam, Gouverneur, Massena, and Ogdensburg, which has the lowest at \$70,000; a difference of more than \$90,000 from lowest to highest.

*Proxy Justification

Reported MTAv calculations for residential zones closely align with municipal-level ACS data; however, the equalized data do not. Nevertheless, MTAv remains a valid proxy for ACS income data. Total assessed value is the only available data serving as a proxy for ACS poverty data. While the equalized MTAv does not mirror municipal-level ACS data, it represents actual market rate values that homeowners pay. Housing lenders typically require a debt-to-income (DTI) ratio of 28% or less of gross monthly income. DTI refers to a borrower's monthly debt payments vs their gross monthly income. A higher DTI ratio indicates a cost-burdened household that allocates a larger portion of its income to housing. Equalized MTAv reflects the housing market, where expensive housing correlates with high income, and vice versa.

*Correlation Between MTAv and Permitted Uses

Further, a zoning district's MTAv correlates with its permitted uses. In four of five population centers, the zoning district with the lowest MTAv permits multi-family or group dwellings either by right or after site plan review and/or issuance of a special use permit (Ogdensburg being the exception). Additionally, in three of five population centers, the zoning district with the lowest percentage of one-family residential parcels also has the lowest MTAv (Ogdensburg and Potsdam are the exception). Finally, each population center's first-tier residential district (R-1,

R-A, R-SF, etc.) has the highest percentage of one-family residential parcels and the highest MTAv. Additional data was recorded for the percentage of apartments, however, little correlation was found due to small sample sizes (Potsdam's Residential-4 District has only nine residential parcels) and the general nature of certain zones (Ogdensburg's Mobile Home District neither contains nor permits apartments).

The following tables highlight characteristics of each population center. Click on an image to make it full screen.

(FIGURE 4 - Image gallery: Analysis for every residential zoning district in SLC population centers - Table Format)

From this correlation, one may infer that exclusionary zoning does exist in St. Lawrence County population centers. While this may be true, a correlation between MTAv and permitted uses does not necessarily mean these zoning codes are exclusionary. However, in this circumstance, it appears to have a disparate impact, and an in-depth analysis of each population center's zoning code, development history, and previous land use maps will provide a complete picture. Examining old land use maps and comparing them to current maps and zoning codes depicts how development has changed over time, and whether any potential exclusionary zoning came about through the preservation of existing development, or changes in permitted uses.

The figures below depict data from the analysis tables in graph and chart format. Click on an image to make it full screen.

(FIGURE 5 - Image gallery: Percentage of apartments and one-family residences in SLC population centers - Graph Format)

(FIGURE 6 - Image gallery: MTAv by residential district in SLC population centers - Chart Format)

*Criteria for Exclusionary Zoning

For the purpose of this analysis, exclusionary zoning is determined through a list of criteria for consistency between population centers. The conditions listed below are indicators that a population center has exclusionary zoning in effect. A population center need not meet all five criteria, but each analysis should consider all five conditions.

- It does not permit accessory dwelling units in the single-family residential district;
- It does not permit multi-family housing in all residential zones;
- Multi-family housing is permitted but only through Special Use Permit;
- The zone with the highest MTAv does not permit multi-family housing, and the zone with the lowest MTAv does permit multi-family housing;
- A readily apparent correlation exists between a population center's master plan (published between 1964 and 1971), as it details housing conditions by neighborhood/planning district, and present-day MTAv by residential zoning district. This could be due to one or more of the following:

- The current zoning is determined to be "legacy zoning";
- A significant portion of the present-day housing stock was built in or before the year the population center's master plan was adopted;
- The present-day residential district with the lowest MTAv mostly coincides with a neighborhood that previously had poor housing conditions;

While the first four conditions can be determined by referencing the analysis tables, the final condition is subjective due to a lack of consistent quantitative evidence in each population center's previous master plans and the unique nature of each population center, which requires closer review considering its individual needs and circumstances. Additionally, this criterion will be given greater importance than the first four, as it has the most significant influence on current housing characteristics.

Population Center Land Use Analysis

Canton

*Canton Compared to Other Population Centers

The <u>Village of Canton</u> is the second least populated of the five population centers, with 7,155 residents (2020 Decennial Census). It hosts two universities that, while not included in this assessment, provide temporary group housing for students during spring and fall. <u>The Village of Canton Zoning Code</u> establishes development standards for its three residential districts: Residential Single-Family (R-SF), Residential Multi-Family (R-MF), and Neighborhood Mixed-Use (NM-U).

Canton has the second-lowest poverty rate (19.6%) and the second-highest median household income (\$57,639), both behind Ogdensburg, and ranks highest in median family income (\$117,266) and MTAv for residential parcels (\$160,135) (2022 ACS 5-year estimates). Among its three residential districts, the R-SF district boasts the highest MTAv not only in Canton, but also among all 18 residential districts in County population centers (\$184,054).

*Residential Districts Overview

Canton's R-SF district has 501 residential parcels, 97% of which are one-family residences, and only one parcel (0.2%) is an apartment. It is important to note that this analysis only accounts for the apartment building, and not the number of units in the building. The zoning code §325-13 "Establishment of districts" states, "This district supports the village's predominantly single-family residential neighborhoods supported by compatible services with traditional village scale, pedestrian orientation and neighborhood character. It is the intent of this district to preserve these characteristics." Single-family dwellings and accessory dwelling units (ADUs) are permitted by right, and home occupations (minor) and day cares (group or family) are permitted after site plan approval. Townhouses, home occupations (major), and bed and

^{*}Residential Single-Family (R-SF)

breakfasts are permitted with site plan review and a special use permit, and two- and multifamily dwellings are not permitted in this zone.

*Residential Multi-Family (R-MF)

The R-MF district has 325 residential parcels, 76.3% of which are one-family residences, and 7.1% of which are apartments. This district has the lowest MTAv of Canton's three residential districts at \$108,783. The zoning code states, "This district supports the Village's more densely settled residential areas that provide a variety of housing options and supporting community services. The intent of the district is to support these uses and preserve the historic scale and character of the Village. These areas are adjacent to mixed-use areas providing services within walking distance of residential units supported by attractive tree-lined streetscapes, public spaces and pedestrian and bicycle amenities." Residential uses permitted by right include one-and two-family dwellings, and accessory dwelling units. Home occupations (minor), conversion into multi-family or group dwellings, multi-family dwellings, group dwellings, townhouses, daycares (group or family), and bed and breakfasts are permitted with site plan approval. Home occupations (major) are permitted after site plan review and special use permit approval.

*Neighborhood Mixed-Use (NM-U)

The NM-U district has 118 residential parcels, 78% of which are one-family residences, and 6.8% of which are apartments. This district has an MTAv of \$140,878, which is the second highest in Canton, and nearly \$60,000 higher than the MTAv for all residential zones in the county (\$81,677). The code states, "This district supports areas of moderate-density residential and community-supported commercial uses. These areas are characterized by mixed-use neighborhoods that are walkable and connected to adjacent residential neighborhoods and commercial areas. It includes a variety of neighborhood-scale businesses and services that meet the needs of the surrounding community. While the character of the NM-U areas may vary, it is intended to be pedestrian-oriented with an attractive streetscape and amenities such as small parks. In some areas, identity is already well established through architecture and streetscape, while in others identity will be shaped by future planning decisions." Residential uses permitted by right include one- and two-family dwellings. The conversion of existing nonresidential structures into multifamily or group dwellings, dwelling units, above first floor street level only, multi-family dwellings, group or family day cares, home occupations (minor), live/work units, and bed and breakfasts are permitted with site plan review. Home occupations (major) are permitted after site plan review and special use permit approval, and group dwellings and townhouses are not permitted in this zone.

The descriptions for these zones include words such as "traditional" and "preserve", suggesting they were created with the intent to maintain housing development that was in place prior to the adoption of the current zoning code. Maps from the 1966 Town and Village of Canton Master Plan depict a smaller area, yet its layout is comparable to the present day, with residential neighborhoods and commercial and industrial areas remaining largely unchanged.

(FIGURE 7 - 1966 Village of Canton land uses)

That said, the Village has made many changes since 1966. What was formerly the County fairgrounds in 1966 is now a neighborhood within the R-SF district. What is now the industrial park off Gouverneur Street used to be a vacant plot of land, most likely used for farming.

According to the Village's 1966 master plan, residences comprised a major share of the land use (aside from vacant land). They accounted for around 275 acres, approximately 82% one-family residences. A field inspection of each parcel of land in the Village showed 983 residential structures that provided more than 1,082 dwelling units.

Modern census data shows that the number of housing units is more than double what it was in 1966 at 2,320 (2022 ACS 5-year estimates). Of these, around 95% are occupied, and 40% are single detached units. Further, 43.4% of the total housing units were built in or before 1969, suggesting the Village has retained a large portion of its housing from the 1966 master plan assessment.

(FIGURE 8 - 1966 Village of Canton neighborhoods)

In addition to a land use analysis, the master plan included an assessment of housing quality by neighborhood. The black areas indicated residential structures in need of major repairs, and the light gray areas indicated residential structures in need of minor repairs. This analysis included seven neighborhoods: Agricultural and Technical College (ATC), Southwest, South, Southeast, North, and Central Business.

(FIGURE 9 - 1966 Village of Canton ATC neighborhood)

The ATC neighborhood is located in the northwest, bounded to the north and west by the Village boundary, to the east by the Grasse River, and to the south by West Main Street. In 1966, it contained mostly one-family residential structures, and it is currently mostly within the R-SF zone and partially in the NM-U zone along West Main Street. It still contains primarily one-family residential structures and remains largely unchanged.

(FIGURE 10 - 1966 Village of Canton Southwest neighborhood)

The Southwest neighborhood is located in the present-day industrial park. It is bounded to the north by West Main Street, to the west and south by the Village boundary, and to the east by the Grasse River. While this land was mostly used for farming, Gouverneur Street has maintained a primarily commercial character. The master plan described housing conditions as "generally good", and a cursory visual assessment of detached housing in this area indicates moderately substandard housing.

Today, much of this area is zoned NM-U along Gouverneur and Main Street, and commercial and industrial developments now sit in place of what used to be farmland.

(FIGURE 11 - 1966 Village of Canton South neighborhood)

The South neighborhood is bounded to the north by property lines near the Midtown Plaza, to the east by Park Street, the railroad track, and Miner Street, to the south by the Village boundary, and to the west by the Village boundary and the Grasse River. The master plan states that in this neighborhood:

- **68.5**% of residential structures were in good condition;
- 10.5% needed minor repairs, and
- 21% needed <u>major repairs</u>.

Most dwellings that required major repairs were located in this neighborhood. Many factors made this a non-desirable area to live in, including inadequate original construction, proximity to the railroad, the former dump, and the location of many industrial uses.

Today, this area is mostly within the R-MF zone, and partly in the NM-U zone near Park Street. The location of housing has remained largely the same, but industrial uses are less prominent. Further, housing near the intersection of Miner Street and the railroad tracks is moderately to severely substandard, based on a cursory visual assessment.

(FIGURE 12 – 1966 Village of Canton Southeast neighborhood)

The St. Lawrence University campus makes up a large portion of the Southeast neighborhood. It is bounded to the north by East Main Street, to the east and south by the Village boundary, and to the west by Park Street, the railroad, and Miner Street. College buildings and living quarters were and still are scattered throughout this neighborhood. A Village housing survey in 1966 found that of the 226 dwelling units in this area:

- 87% were in good repair,
- 6.2% needed minor repairs, and
- **6.7%** needed major repairs.

Today, this area is an even mix of all three residential zones, and residential uses remain mostly the same. Additionally, "Leigh Street", which was included in the 1966 land use analysis, no longer exists and is now a part of the St. Lawrence University campus, which is still the neighborhood's main land use.

(FIGURE 13 - 1966 Village of Canton Northeast neighborhood)

The Northeast neighborhood is bounded to the north and east by the Village boundary, to the south by East Main Street, and to the west by Church Street, Judson Street, Goodrich Street, and State Street. This neighborhood consisted mostly of new homes, open land, was largely residential, and had the most dwelling units of any neighborhood.

- It had the highest percentage of good condition units in the Village at 96.2%;
- 1.7% needed minor repairs, and
- **2.1%** needed <u>major repairs</u>.

Currently, this area is mostly in the R-SF zone, and some in the NM-U zone closer to East Main Street, and is largely one-family residential.

(FIGURE 14 - 1966 Village of Canton North neighborhood)

The North neighborhood is bounded to the north by the Village boundary; to the east by Church Street, Judson Street, Goodrich Street, and State Street; to the south by Main Street, property boundaries, Chapel Street, Riverside Drive, and the Grasse River, and to the east by the Grasse River. It contained many community facilities and was a mix of residential and commercial uses. Approximately 10% of its dwellings needed minor or major repairs.

Today, it is mostly within the R-SF and R-MF zones, with some in the NM-U zone closer to Main Street. It has a greater concentration of one-family residences due to the development of the Woods Drive/Fairlane Drive neighborhood. Housing in this area is predominantly standard, except for substandard housing on the north side of State Street near its intersection with Riverside Drive and Chapel Street.

(FIGURE 15 - 1966 Village of Canton Central Business neighborhood)

The Central Business neighborhood is bounded to the north by Main Street, property boundaries, Chapel Street, Riverside Drive, and the Grasse River; to the east by Park Street; to the south by property lines near the Midtown Plaza; and to the west by the Grasse River. In 1966, it contained 45 dwelling units:

- 93.3% in good repair;
- 2.2% needed minor repairs, and
- **4.5%** needed major repairs.

Currently, it is a mix of the Downtown Mixed-Use and Main Street zones. The few residences within this area are located on Chapel Street and Miner Street, and some apartments are scattered around Chapel Street, Park Street, and Riverside Drive.

(FIGURE 16 - 2023 Village of Canton land use with new areas)

Canton has significantly grown in size since its establishment. The green areas highlight sections that were not part of the Village in 1966. Please note that these areas are approximated based on Canton's 1966 land use map and may not follow exact parcel boundaries.

Today, the Village encompasses Canton Central School and the Partridge Run Golf and Country Club in the north. St. Lawrence and SUNY Canton Universities form a portion of the southeast and northwest Village boundary, respectively. Strips along US Route 11 contain predominantly commercial uses, as well as community and public services, industrial uses, and few residences.

(FIGURE 17 - 2023 Village of Canton land use)

Canton's 2023 land use map depicts residences in largely the same areas compared to 1966, with the exception of commercial and industrial uses in the southwest and housing development in the north and northeast. While Canton has the lowest percentage of its housing built before the adoption of its comprehensive development plan compared to other population centers at 43.4%, this number is still significant to justify correlations between current zoning and previous housing conditions.

It is well understood that housing condition affects a property's assessed value. The northeast neighborhood, now within the R-SF zone, had the best overall housing conditions since 1966. The same is conversely true for the south neighborhood and the R-MF zone. While it is clear that the designation of these districts did not cause the income inequality that the residents within them experience, their current zoning regulations exacerbate it.

This so-called "legacy zoning" contributes to the disparate impact that these neighborhoods experience, and means Canton meets the final exclusionary zoning condition, in addition to two of the first four criteria (it does not permit multi-family housing in all residential zones, and the R-SF zone which has the highest MTAv does not permit multi-family housing and the R-MF zone which has the lowest MTAv has permits multi-family housing). It is because of these factors that Canton's zoning is determined to be exclusionary.

Gouverneur

*Gouverneur Compared to Other Population Centers

The <u>Village of Gouverneur</u> is the least populated of the five population centers by a wide margin with 3,526 people (2020 Decennial Census). It has an agricultural background, with much of the Village taken up by farmland in the mid-1900s. The <u>Village of Gouverneur Zoning Regulations</u> outline development standards for its four residential districts: Residential-One (R-1), Residential-Two (R-2), Residential-Three (R-3), and Residential-Business (R-B).

Compared to the other population centers, Gouverneur ranks low in income and poverty metrics. It has the fourth lowest median family income (\$65,110) and the fourth lowest median household income (\$42,335), according to the 2022 ACS 5-year estimates. It also ranks last in poverty, with more than a quarter of its population for whom poverty status is determined below the poverty rate (27.2%). Its MTAv for all of its residential parcels is \$78,395.

Gouverneur's R-1 district has 212 residential parcels, 97.2% of these are one-family residences. One parcel is an apartment, and the MTAv for this district is \$91,543, which is the highest of its four residential districts. Article II, Section 3 of the zoning regulations states "The R-1 District is established to recognize areas of the Village in which single family homes of traditional construction or appearance predominate, and to protect the integrity of these areas and the value of property through appropriate regulation of lot dimensions, yards, and accessory uses."

^{*}Residential Districts Overview

^{*}Residential-One (R-1)

Only one-family dwellings and accessory structures and uses require a standard permit in this zone; home occupations require site plan review and special use permit approval. Two-family, multi-family, and group dwellings are not permitted.

*Residential-Two (R-2)

The R-2 district has 455 residential parcels, which is more than double the R-1 district. One-family residences make up 89.5% of these parcels, and 1.1% are apartments. This zone has the second highest MTAv at \$80,246. The zoning regulations state: "The R-2 District is established to recognize areas of the Village in which one- and two-family homes of traditional construction or appearance predominate, and to protect the integrity of these areas and the value of property through appropriate regulation of lot dimensions, yards, and accessory uses." One-family and two-family dwellings, modular homes, manufactured (double wide) homes, and accessory structures and uses require a standard permit; home occupations and conversions of existing homes larger than 3,000 square feet into three-family uses require site plan review and special use permit approval. Group dwellings are not permitted in this zone.

*Residential-Three (R-3)

The R-3 district has 170 residential parcels, 77.7% of which are one-family residences, and 3.5% of which are apartments. Its MTAv of \$62,283 is the lowest of the Village's residential zones. The zoning regulations state: "The R-3 District is established to recognize areas of the Village in which there is a mixture of one- and two-family homes of traditional construction or appearance and multi-family dwellings of limited size. The R-3 District is intended to provide for a variety of types of housing, including manufactured housing. The district also is intended to include certain special types of residential uses, to recognize certain areas of the Village which are in transition from one- and two family uses and to control that transition." One-family and two-family dwellings, modular homes, manufactured (double wide) homes, and accessory structures and uses require a standard permit; group dwellings, multi-family dwellings that do not exceed two-stories, home occupations, tourist houses, rooming and boarding houses, nursing homes, conversions of existing homes into three-family dwellings, and home occupations require site plan review and special use permit approval.

*Residential-Business (R-B)

The R-B district has 32 residential parcels, the lowest by a wide margin in the Village, and the second lowest of all 18 residential districts in County population centers. Of these, 87.5% are one-family residences, and none are apartments, most likely due to the small sample size and the prohibition of group dwellings. It has an MTAv of \$66,296, and the zoning regulations state: "The purpose of the R-B district would allow limited business activities that would combine with the residential character of the neighborhood. All business-related activities would be required to have perimeter fencing and vegetation for screening as per Planning Board requirements. Fences must comply with (Article III Section 1, Subsection 6) of this Local Law." One-, two-, and three-family dwellings require a standard permit in this zone; touring and boarding homes and

bed and breakfasts require site plan review and a special use permit. Multi-family and group dwellings are not permitted in this district.

Similar to the Village of Canton zoning code, Gouverneur's code uses terms such as "traditional" and "protect the integrity" in descriptions for its R-1 and R-2 zones. This suggests that these zones were created to maintain existing housing development, but determining legacy zoning requires additional context provided in the 1969 housing quality neighborhood analysis.

(FIGURE 18 – 1969 Village of Gouverneur land uses)

Between 1969 and 2023, Gouverneur's land area expanded to the south, east, northeast, and west. Land development was concentrated in the Village center, with farms and vacant areas more prominent near the boundary. Since 1969, agricultural and vacant land has developed into commercial uses, community and public services, and residential property. Commercial uses still comprise a majority of the downtown, and residential areas have remained largely the same, albeit slightly expanded in each area.

The Village of Gouverneur's 1969 Master Plan shows that *one-family* residential housing comprised:

- greater than **25%** of the Village's <u>land area</u>, and
- **51%** of its <u>developed area</u>.

Conversely, two-family residential housing made up:

- 2.7% of the Village's land area, and
- **5.2**% of its <u>developed area</u>.

Multi-family residential housing was even less significant:

- 0.5% of the land area, and
- **0.9%** of the <u>developed area</u>.

The master plan also states, "This category (single-family residences) established beyond doubt the characteristic of the Village which is a community of single-family homes serviced with public facilities and commercial facilities." According to the 2022 ACS 5-year estimates, 70.3% of the Village's 2,017 housing units were built in or before 1969, which suggests that this statement holds even today. Additionally, 52.4% of the Village's housing units are single units (attached or detached).

(FIGURE 19 - 1969 Village of Gouverneur neighborhoods)

The 1969 Village of Gouverneur Master Plan included a neighborhood housing analysis that measured housing quality in five separate areas with unique development characteristics. These neighborhoods are referred to alphabetically as neighborhoods A through E. The housing quality assessment indicated structures in need of major and minor repairs in each

neighborhood, which may coincide with housing conditions in present-day residential zoning districts.

(FIGURE 20 - 1969 Village of Gouverneur neighborhood A)

Gouverneur's Neighborhood A is located in the northwest section of the Village. It is bounded to the north and west by the Village boundary, to the east by Clinton Street, Babcock Street, Park Street, and Grove Street, and to the south by the railroad tracks and the Oswegatchie River. This area contained a "substantial amount" of single-family residences, seven of which needed either major or minor repairs. In 1960, this neighborhood had 1,085 people and 388 housing units:

- 22.2% in <u>substandard</u> condition;
- **18.3**% deteriorating, and
- **3.9%** dilapidated.

NOTE: The Village of Gouverneur 1969 Master Plan classified housing units using "substandard" as a broad term, and "deteriorating" and "dilapidated" as subsets of that term.

Today, this neighborhood is within the R-1 and R-2 zones. Vacant areas have developed into commercial and residential uses, and the downtown remains largely commercial. Residential uses in this neighborhood are mostly single-family, and two-family residential units north of Main Street remain intact.

(FIGURE 21 - 1969 Village of Gouverneur neighborhood B)

Neighborhood B is located in the northeast section of the Village. It is bounded to the north and east by the Village boundary, to the south by East Main Street, and to the west by Clinton Street, Babcock Street, and Park Street. The population in this neighborhood was concentrated in the southwest, while the northeast remained relatively vacant. Eleven structures in this neighborhood required major or minor repairs, seven of which were located within close proximity in the northwestern section. In 1960, this neighborhood was the most populous at 1,310 people and contained 360 housing units:

- 17.2% deteriorating;
- **No** residential structures in this area were dilapidated.

Today, this neighborhood is an even mix of the R-1 and R-2 zones. The St. Lawrence County fairgrounds still exist in this neighborhood in the R-1 zone. Compared to 1969, there are slightly fewer two-family residences and slightly more multi-family residences, but development is still concentrated to the southwest.

(FIGURE 22 - 1969 Village of Gouverneur neighborhood C)

Neighborhood C is located on the west side of the Village. It is bounded to the west by the Village boundary, to the north and east by the Village boundary and the Oswegatchie River, and to the south by the railroad tracks. This was a significantly developed area with population distribution relatively even throughout. Twenty-four structures required repairs, half major and half minor. This neighborhood was the second most populated, with 1,298 people, and contained 397 housing units:

- 11% substandard;
- 9.5% deteriorating, and
- 1.5% dilapidated.

Currently, this area is within the R-2 district and the entire R-B district. This neighborhood is mostly unchanged; Gouverneur Central Middle School remains in the same location, the R-B district has followed its same development pattern, and one-family residences are generally in the same place. There is, however, increased commercial development along Main Street.

(FIGURE 23 - 1969 Village of Gouverneur neighborhood D)

Neighborhood D, located in the southwest section of the Village, is the smallest in area of the five neighborhoods. It is bounded to the north by the railroad tracks, to the east by the Oswegatchie River, and to the south and west by the Village boundary. It had eleven structures that required either major or minor repairs, the same as Neighborhood B, whose developed area and population were almost four times as great. Its population was estimated at under 300 people, and it had:

- 34 substandard housing units;
- 33 deteriorating, and
- One dilapidated.

NOTE: Percentages were not indicated in the analysis for this neighborhood, so exact numbers are depicted instead.

Today, this area is within the R-1 and R-3 zones. Construction of an apartment complex and one-family residences has occurred primarily in the R-3 district.

(FIGURE 24 - 1969 Village of Gouverneur neighborhood E)

Neighborhood E is located in the southeast section of the Village. It is bounded to the north by the railroad tracks, Grove Street, and East Main Street, to the east and south by the Village boundary, and to the west by the Oswegatchie River. Its population of approximately 1,000 people was concentrated in the western part of the neighborhood, along Main Street, and in some clusters in the northeastern portion. It had an estimated fewer than 300 dwelling units:

• 62 deteriorating, and

• Two dilapidated.

NOTE: Percentages were not indicated in the analysis for this neighborhood, so exact numbers are depicted instead.

The master plan noted that several low-income families lived in this neighborhood, supported by the 49 structures requiring major or minor repairs (more than double the next highest neighborhood).

Today, the R-3 district is the only residential district in this area. There has been increased multi-family housing development in the southeast section and additional commercial development closer to Main Street.

(FIGURE 25 - Village of Gouverneur new areas since 1969)

The Village of Gouverneur has expanded since 1969; the green areas show the approximate area that the Village has added since adopting the Master Plan. These include land owned by the elementary school, a shopping plaza, and other vacant property in the northeast; land owned by the Gouverneur Housing Authority, Kinney Drugs, and the St. James Cemetery in the south; and the Riverview Park and the sewage treatment plant in the northwest.

(FIGURE 26 - 2023 Village of Gouverneur land uses)

Residential land uses in Gouverneur have remained largely the same, with some outward expansion since the late '60s. Commercial development continues to concentrate in the Village center along Main Street, with community and public services scattered along the outskirts. However, as it was in 1969, low-income housing makes up a large portion of the southern Village that is currently encompassed by the R-3 zone.

The analysis table shows that Gouverneur meets three of the first four exclusionary zoning criteria. The fifth criterion considers multiple factors, including that nearly three-fourths of the Village's housing units were built before 1970. Gouverneur has legacy zoning because it likely has similar housing conditions as outlined in its master plan. This is supported by the fact that approximately 20% of the housing structures in Neighborhood E required major or minor repairs. This area is currently within the R-3 zone, which not only has the lowest MTAv, but it is the only residential zone that permits multi-family housing, which it does via site plan review and special use permit approval. It is because of this that Gouverneur's zoning is determined to be exclusionary.

Massena

The <u>Village of Massena</u> is the most populous of the five population centers with 10,151 people (2020 Decennial Census). Historically, the Village and Town have been industrial hubs – home to the ALCOA aluminum processing plant, electrical facilities, and various local supply

^{*}Massena Compared to Other Population Centers

companies. The <u>Village of Massena Zoning Code</u> provides regulations for its three residential zoning districts: the Residential-A (R-A) district, the Residential-B (R-B) district, and the Residential-C (R-C) district.

Massena ranks third among other population centers in its percentage of people for whom poverty status is determined (21.6%) and its median household income (\$48,161), according to 2022 ACS 5-year estimates. It ranks last in median family income (\$62,104) and second to last in MTAv (\$75,609).

*Residential Districts Overview

*Residential-A District (R-A)

Massena's R-A district has 917 residential parcels, 98.3% of which are one-family residences, and one is an apartment. Its MTAv is \$115,853, which is nearly \$50,000 more than the next highest residential district. The zoning code states that the purpose of this district is "to maintain and to protect the integrity of single-family residential areas and compatible public uses by requiring lot and building standards and prohibiting the intermixture of single-family dwellings with incompatible uses." One-family dwellings and Accessory Dwelling Units (ADUs) are the only principally permitted residential uses in this zone. Home occupations, and roomers with a limit of three people are permitted after site plan review.

NOTE: Massena does not require special use permit approval for any uses within Village limits.

*Residential-B District (R-B)

The R-B district has 2,348 residential parcels, 92.2% of which are one-family residences, and 0.8% of which are apartments. Its MTAv of \$68,231 is the Village's second highest, but differs by only 3.5% from the lowest. The code states that the purpose of this district is "to maintain and protect the integrity of residential areas designed to accommodate a mixture of single- and two-family structures and compatible public uses by requiring lot and building standards and prohibiting the intermixture of single- and two-family dwellings with incompatible uses." One-, two-family dwellings and ADUs are the only principally permitted residential uses in this zone. Home occupations, roomers with a limit of three people, and daycare centers are permitted after site plan review.

*Residential-C District (R-C)

The R-C district has 168 residential parcels, 76.2% of which are one-family residences, and 11.3% are apartments. It has the lowest MTAv of the Village's three residential districts at \$65,853. The code states that the purpose of this district is "to maintain and protect the integrity of multiple residential areas by requiring lot and building standards and prohibiting the intermixture of single-, two-family and multiple residences with incompatible uses." One-, two-family dwellings and ADUs are the only principally permitted residential uses in this zone. Multifamily dwellings, mobile home parks, daycare centers, rooming houses, and bed and

breakfasts/tourist homes, home occupations, and roomers with a limit of three people are permitted after site plan review.

Upon initial review, the prohibition of multi-family housing in every residential zone except for R-C, which requires site plan review as a permit condition, suggests that the zoning code requirements make affordable housing construction difficult. While this may be true, the 1971 Massena Comprehensive Development Plan includes historic housing characteristics that contextualize present-day zoning regulations.

(FIGURE 27 - Table IV, Housing Characteristics of Sampled Deficient Housing in all Survey Sections, Village of Massena)

This development plan includes a neighborhood analysis that divides the Village into five areas based on housing conditions, land uses, locations of school district boundaries, waterways, railroads, and major roads. Four additional areas were selected for further intensive study (and designated "survey sections" to differentiate them from the five "analysis areas" that encompass the entire Village). Within each of these survey sections, at least 20% of all families occupying deficient housing could be determined. Table IV shows the results of the 87 households that were interviewed; below is a list of conclusions that can be drawn from this table, which were taken from the development plan:

- Larger households live in poorer homes;
- The incidence of tenant occupancy of deficient housing is greater than that of owner-occupied occupancy;
- Owners live in their homes for a much longer time than tenants;
- A conservative standard for the cost of housing should not exceed 25% of a household's income. In the sample, 25.5% of households pay too much for basic shelter costs. It is probable, therefore, that many tenant households cannot find rental units within their means in the Village;
- Many elderly homeowners pay only for utilities, and because of their low social security income, they allow their homes to deteriorate rapidly. Some are compelled to sell their homes because their annual property tax expenditure represents half of their social security allowances;
- Those households living in deficient housing have the lowest incomes;
- It is apparent that household size, income levels, and shelter costs are negative factors that prevent deficient housing areas in the Village from being improved.

While this analysis is unique to Massena, many of these conclusions are true for other areas even today. Additionally, a lack of quality low-income housing exacerbates these factors because a majority of these families cannot relocate lest they live beyond their means. Zoning code adjustments provide a potential solution by allowing more opportunity for affordable housing construction.

(FIGURE 28 - 1971 Village of Massena land use)

Massena has remained relatively unchanged since 1971. While residential development has expanded to some degree, it is concentrated in the same areas. Commercial uses still make up the downtown and line major roadways, and structures such as the high school and downtown apartment building are still intact and in use today.

In 1970, Massena had a population of 14,042 people, a 9.3% drop from 1960, which was its highest ever at 15,478. More than a quarter of the land area was residential (29.1%):

- 26.5% one-family,
- 1.2% two-family, and
- **1%** multi-family
- The remaining **0.4%** was either <u>singular trailers</u> or <u>trailer parks</u>.

At the time, the only major multi-family developments were the low-income public housing project between Perkins Road and Route 37 (currently in the R-B district) and the low-income public housing for the elderly project on Laurel Avenue (currently in the R-C district).

Combined Town and Village estimates showed 4,717 housing units in 1960:

• **17**% <u>deficient</u>.

In addition, 4,470 housing units in 1970:

- 12.5% deficient;
- **8.1%** in <u>marginal</u> condition;
- 2.6% in poor condition, and
- 1.7% in very poor condition.

In the Village, deterioration was concentrated in and around the central business district, the South Main Street-East Hatfield Street area (currently R-B, R-C), the area around the eastern portion of East Orvis Street (currently R-B), the area generally bounded by Beach Street, Stoughton Avenue, and the Massena power canal (currently R-B, R-C), the Grasse River, and the North Main Street-Center Street area (currently R-B).

Today, Massena has 5,328 total housing units, 68.3% one-unit (attached or detached) and 83.8% built before 1970 (2022 ACS 5-year estimates). This is the highest percent of housing built before this time for any population center.

NOTE: A detailed listing of the 1970 decennial census was not available at the time the 1971 Massena Comprehensive Development Plan was prepared. This report uses 1960 decennial census data (which it claims "is still reasonably valid" because of Massena's "limited development in the past decade"), and a "consultant's city-wide survey, completed in May 1970."

(FIGURE 29 - 1971 Village of Massena neighborhoods)

A neighborhood analysis separated the Village into five "analysis areas" numbered 1-5, with an additional four "survey sections" delineated for further intensive study. These survey sections identified concentrations of deficient housing structures based on blighting factors. These included incompatible land uses such as industries and warehouses near residences, unmaintained vacant lots, poorly paved streets, heavy traffic in residential areas, and inadequate community facilities.

(FIGURE 30 - 1971 Village of Massena analysis area 1)

Massena's analysis area 1 is bounded to the north by the Grasse River, to the east by the Penn Central railroad, to the south by Route 37, and to the west by Ransom Avenue. In 1970, it had 900 total housing structures:

- **7.9**% marginally deficient;
- **2.7%** in poor condition, and
- 1.6% in very poor condition.

This area contained two survey sections: 1A and 1B. Survey section 1A contained 103 housing structures:

- **23.3**% marginally deficient;
- 9.7% in poor condition, and
- **5.8%** in very poor condition.

Survey section 1B contained 94 total housing structures:

- **15.9%** marginally deficient;
- 6.4% in poor condition, and
- **4.2**% in <u>very poor</u> condition.

The Holy Family High School, the Junior High School, and the Lincoln and Sacred Heart Elementary Schools were located within this analysis area.

Today, this analysis area contains sections of each residential zone. Both survey sections contain a small portion of the R-B zone, and survey section 1B contains the R-C zone. A majority of this area is the central business district, with commercial development in the center and residences near its borders.

(FIGURE 31 - 1971 Village of Massena analysis area 2)

Analysis area 2 is bounded to the north, east, and west by the Village boundary and to the south by the Grasse River. It had the most housing structures of all analysis areas at 1,479:

- 10.3% marginally deficient;
- 2.2% in poor condition, and
- 0.8% in very poor condition.

This analysis area contained survey section 2, which was the largest of the four by area and total housing structures. It contained 813 total housing structures:

- **15.7%** marginally deficient;
- 3.8% in poor condition, and
- 1.2% in very poor condition.

Today, analysis area 2 and survey section 2 are mostly in the R-B zone and partly in the R-A and R-C zones. Development in this area is mostly residential, with a commercial strip in the Commercial Transition District along Main Street. This area also contains Madison Elementary School and several public parks.

(FIGURE 32 - 1971 Village of Massena analysis area 3)

Analysis area 3 is bounded to the north by Route 37, to the east by the Massena Terminal railroad and the Raquette River, and to the south and west by the Village boundary. It contained 328 structures:

- 7% marginally deficient;
- 4.9% in poor condition, and
- **0.6%** in <u>very poor</u> condition.

Survey section 3 is the final such section in the Village and contained 119 total housing structures:

- **17%** marginally deficient;
- 11.8% in poor condition, and
- **1.7%** in very poor condition.

Currently, this analysis area is mostly within the R-B district and partly in the R-C district, as is survey section 3. The Village's industrial district is located in the southwest of this analysis area and has since expanded. Additionally, most of the housing in this area is located between the Raquette River and Route 37, mostly outside survey section 3.

(FIGURE 33 - 1971 Village of Massena analysis area 4)

Analysis area 4 is bounded to the north by East Orvis Street, to the west by the Massena Terminal railroad, and to the south and east by the Village boundary. It had 386 total housing structures:

- 3.9% marginally deficient;
- None in <u>poor</u> condition, and
- **0.8%** in <u>very poor</u> condition.

No survey sections were delineated in this area; however, a small concentration of deficient housing was identified along East Orvis Street. This area also housed the St. Joseph and Jefferson Elementary Schools.

Today, this area is within the R-B district, and housing is concentrated between East Orvis Street and Route 37, and in the southeast portion of the neighborhood. Commercial development lines Route 37, as does the Massena Housing Authority, which is adjacent to Jefferson Elementary School.

(FIGURE 34 - 1971 Village of Massena analysis area 5)

Analysis area 5 is bounded to the north by the Grasse River, to the east by Ransom Avenue, to the south by Route 37, and to the west by the Village boundary. It had the fewest total housing structures at 323, all of which were in standard condition. Housing in this area was built in the 1960s, much more recently than any other area, and as such, this analysis area did not have a survey section or deficient housing. It housed the Massena Central High School and Nightingale Elementary School, both of which remain in operation today.

Currently, this area is within the R-A district, which shows a correlation between MTAv and the age of the housing stock. Since 1971, this area has seen a westward expansion that mostly includes housing in the R-A zone and few in the R-C zone along Andrews Street.

(FIGURE 35 - Village of Massena new areas since 1971)

Since 1971, the Village of Massena has expanded to the north, west, and southwest. Land in the north is mostly vacant, apart from a small parcel owned by the Rose Hill Foundation, and warehouses and office buildings lie in the industrial district adjacent to the railroad tracks. The west side of the Village has expanded further into the Town of Louisville with new housing, commercial uses, and community and public services along Andrews Street.

(FIGURE 36 - 2023 Village of Massena land use)

Since adopting the Comprehensive Development Plan, Massena has expanded residential development, which is concentrated in neighborhoods in the north, central, southeast, and southwest of the Village. Commercial development is still concentrated in the Central Business District and along Route 37 and Main Street. The area north of the Grasse River and between the Grasse River and Route 37 contains a majority of residences. South of Route 37 is mostly commercial, industrial, or community and public services.

Massena meets two of the first four exclusionary zoning criteria based on the analysis table. While it does permit accessory dwelling units in the R-A zone, it does not permit multi-family housing in any residential zones by right. Similarly, the R-C zone (which has the lowest MTAv) permits multi-family housing with site plan review, and the R-A zone (which has the highest MTAv) prohibits multi-family housing. An apparent correlation between the comprehensive development plan and MTAv is found in the median age of Massena's housing stock.

Since a majority of housing in Massena was built before 1970 (83.8%), housing conditions from the comprehensive development plan are still relevant, and correlate to present-day low-income residential zones. Deficient housing conditions were mostly found in analysis areas and survey sections that were largely within the R-B and R-C districts, and explain the marginal difference between MTAv in these zones. Conversely, 1960s single-family housing construction (considered new at the time) occurred in the present-day R-A zone that has the highest MTAv by nearly 50%.

These zones were created to uphold pre-existing housing characteristics based on their descriptions (using phrases such as "protect the integrity") and conclusions drawn from the 1971 comprehensive development plan. Disparate impacts from housing conditions during this time create income inequality between the Village's residential zoning districts. By meeting three out of five criteria, including the final criterion, Massena is determined to have exclusionary zoning.

Ogdensburg

*Ogdensburg Compared to Other Population Centers

The <u>City of Ogdensburg</u> has a population of 10,064 people, making it the second most populous population center by a narrow margin (2020 Decennial Census). Located along the St. Lawrence River, it houses industries, commercial businesses, and recreation along the shoreline. The <u>City of Ogdensburg Zoning Code</u> provides regulations for the City's four residential zoning districts: the Single-Family Residential District (SFR), Moderate-Density Residential District (MDR), Residential/Business Mixed-Use District (R/B), and Mobile Home District (MH).

Ogdensburg ranks well among population centers in poverty and income statistics. According to the 2022 ACS 5-year estimates, it has the lowest percentage for whom poverty status is determined at 18.5% and the highest median household income at \$58,184. It also ranks third in median family income (\$68,845), but last in MTAv for all residential parcels (\$70,000).

Ogdensburg's SFR district has 1,865 residential parcels, 93% of which are single-family residences and 0.9% are apartments. Its MTAv is the highest among the City's residential districts at \$75,000. The code states, "The purpose of this district is to provide for high-quality single-family residential neighborhoods which are protected from conflicting uses. This district is intended exclusively for detached single-family dwellings and outdoor municipal recreation." One-family dwellings and accessory structures are permitted uses, and home occupations and bed and breakfasts are permitted with site plan approval. Mobile homes, manufactured homes, and multiple-family dwellings are prohibited in this zone.

NOTE: Ogdensburg does not require special use permit approval for any residential uses in its residential zones.

^{*}Residential Districts Overview

^{*}Single-Family Residential District (SFR)

*Moderate-Density Residential District (MDR)

The MDR district contains 1,066 residential parcels, 87.7% of which are single-family residences and 3% of which are apartments. Its MTAv of \$68,000 is the second highest among its residential districts. The code states, "The purpose of this district is to provide for residential neighborhoods composed of single- family homes, two-family homes, and multiple-family dwellings in combination with selected public, institutional, service and retail uses compatible within predominantly residential areas. Furthermore, this district is designed to address the large old homes which may be better used for multiple-family than single-family uses in the future." One- and two-family dwellings and accessory structures/uses are permitted by right. Moderate-density multi-family residential developments, manufactured homes, home occupations, and bed and breakfasts require site plan approval. Mobile homes and high-density residential developments are prohibited in this zone.

*Residential/Business Mixed Use (R/B)

The R/B district contains 178 residential parcels, 70.8% of which are one-family residences, and 8.4% of which are apartments. Its residential parcels have an MTAv of \$65,000, and the code states, "The purpose of this district is to delineate those areas of the City appropriate for mixed residential and compatible business uses that will generate street level activity and provide for water-dependent uses. This district is especially designed to accommodate mixed use development projects that feature business or services at the street level and residential uses on upper stories. Two-family and multiple-family residential development is permitted while new single-family dwellings are prohibited." Accessory structures/uses are permitted by right, and multiple-family residential developments, community residences, home occupations, and bed and breakfasts are permitted after site plan review. Single-family dwellings and mobile homes are prohibited.

*Mobile Home District (MH)

Ogdensburg's MH district has 54 residential parcels, which is among the smallest of all 18 population center residential districts. 85.2% are one-family residences, and none are apartments. It also has the lowest MTAv among the City's residential districts at \$60,000. The code states, "The purpose of this district is to provide for high-quality single-family residential neighborhoods which are protected from conflicting uses. This district is intended exclusively for detached single-family dwellings, mobile homes and outdoor municipal recreation." One-family dwellings and accessory structures are permitted by right, and mobile homes and home occupations require site plan review. Multiple-family dwellings are prohibited.

Ogdensburg differs from other population centers in how it structures its residential zones. Similar to all other population centers, it prohibits multi-family dwellings in its single-family residential zone. However, it prohibits one-family dwellings in its third-tier residential zone, something that no other population center does in any district.

Further, Ogdensburg only meets one of the first four exclusionary zoning criteria. No other population center meets less than two, suggesting Ogdensburg's current zoning code reflects fair housing and inclusionary values. The City's 1971 neighborhood analysis provides additional background to the state of its present-day housing stock.

(FIGURE 37 - 1971 City of Ogdensburg neighborhoods)

Ogdensburg does not have an available land use map from the year 1971, so it is not possible to compare land uses to the present day. However, its 1971 neighborhood analysis provides useful housing information that can be compared to modern data.

According to the 1960 U.S. census, the City of Ogdensburg had 4,398 housing units:

- **68.6%** in <u>sound</u> condition <u>and had all plumbing facilities</u>;
- 4.6% in sound condition but lacked some plumbing facilities;
- 21.5% deteriorating, and
- **5.3**% dilapidated.

A 1970 field survey of the entire City identified 4,246 structures containing housing units:

- 26.7% deficient;
- 18.4% in marginal condition;
- **5.6%** in <u>poor</u> condition, and
- 2.7% in very poor condition.

This analysis provided a list of environmental factors that can influence the soundness of a residential area in the City. These factors include:

- The condition of non-residential structures (not including mixed-use structures);
- Land use conflicts;
- General appearance;
- Traffic circulation and street condition;
- The adequacy of utilities, community facilities, and services.

Each of these factors influenced neighborhood conditions.

*Condition of Non-Residential Structures

According to the 1970 field survey, 46.1% of the City's 165 non-residential structures were in either marginal, poor, or very poor condition. Deficient structures were concentrated along the St. Lawrence and Oswegatchie riverfronts, along Ford Street, and in the Main Street – Lake Street area. This encompassed mostly analysis areas II and III.

*Land Use Conflicts

Incompatible industrial uses were located along Riverside Avenue and Washington Street, along Pearl Street, and at the quarry in the southwest corner of the City. In addition, poorly maintained commercial uses were located along Ford Street and in the Main Street-Lake Street area. These were mostly within analysis areas II and III.

*General Appearance

Numerous vacant lots left in poor condition downgraded the neighborhood appearance. This was not specific to one analysis area.

*Traffic Circulation and Street Condition

East-west routes such as State Highway 37 to the south and Ford Street to the north dominated traffic circulation. Ford, Greene, and Washington Streets (located mostly in analysis area III) saw general circulation problems. Further, non-residential uses had parking needs that may not have been adequately met; the resulting use of neighboring streets for parking may have had blighting effects on nearby residences.

*Adequacy of Utilities, Community Facilities, and Services

Finally, the City suffered from an inadequate sewer system. Its combined sanitary and storm sewer system caused basement flooding and waste discharge into the St. Lawrence and Oswegatchie rivers. This is an issue that has occurred as recently as 2024.

(FIGURE 38 – Table IV: Household Characteristics of Sampled Deficient Housing in all Survey Sections, City of Ogdensburg)

Table IV shows household characteristics of sampled deficient housing in all survey sections. Each characteristic is an indicator that a household is more deficient than the average household in the City. The table depicts the percentage of the 133 sampled households that were owner-occupied, received social security and/or welfare, had heads over 64 years old, and that paid over 25% of their income for the gross housing cost (rent plus utilities for tenants, mortgage plus utilities for owners). It also includes the mean household size and income, all of which indicate standards of living.

The 1971 neighborhood analysis indicated conclusions that can be drawn from the table. They are as follows:

- The mean household size increases as the quality of housing decreases. Those living in marginal housing units have a mean household size of 4.4 members, while those in "very poor" housing units have 9.0 members. The City-wide mean for 1960 was 3.4 members, showing that the areas of blight have more people per dwelling unit.
- The percentage of household heads over 64 years old is fairly constant throughout the three survey sections.

- It has generally been found that, as a conservative standard, the cost of housing should not exceed 25 percent of a household's income. Low-income households, in particular, should not exceed this limit. In the sample, 21.8% of the households, mostly renters, paid more than 25% of their income for basic shelter costs. It is probable, therefore, that many tenant residents cannot find rental units within their means in the City. Many residents who are owners cannot afford the cost of improvements for even normal maintenance, even though many do not have a mortgage.
- The mean income of households in "marginal", "poor", and "very poor" housing is \$5,097, \$4,795, and \$4,090, respectively. Thus, the poorer the housing, the lower the mean household income.
- It is apparent that household size, income levels, and shelter costs are negative factors that prevent deficient housing areas in the City from being improved.

These factors are still relevant today and contribute to income inequality. Limited affordable housing exacerbates these factors and contributes to potential income disparities. A municipality that encourages low-income housing will likely decrease the number of people who live beyond their means.

(FIGURE 39 - 1971 City of Ogdensburg analysis area 1)

Analysis area 1 is bounded to the north by Lafayette Street, to the east by Patterson Street, to the south by the City limits, and to the west by the Oswegatchie River. It was primarily a residential area, and many lived near the George Hall Elementary and Junior High School and the Ogdensburg Free Academy and Trade School. It had 720 housing structures:

- **79.2%** in <u>standard</u> condition;
- **14%** marginal;
- 4.7% in poor condition, and
- **2.1%** in very poor condition.

This area also contained survey section 1, which had 228 housing structures:

- **72.9%** in <u>standard</u> condition;
- 14% marginal;
- **7.9%** in poor condition, and
- **5.2%** in very poor condition.

Today, this area is an even mix of the SFR and MDR zones, and is partly within the R/B district. The schools have not moved, and businesses are located in the southeast; otherwise, the neighborhood is mostly residential. Interestingly, survey section 1 is currently within the SFR zone, which has the highest MTAv of the City's residential zones.

(FIGURE 40 - 1971 City of Ogdensburg analysis area 2)

Analysis area 2 is bounded to the north by the St. Lawrence River, to the east by the Oswegatchie River, and to the south and west by the City limits. This area contained a variety of uses such as schools, residences, port facilities, railroad yards, and commercial establishments. It had 1,028 housing structures:

- **50.4%** in <u>standard</u> condition;
- 32.8% marginal;
- 10.9% in poor condition, and
- **5.9%** in <u>very poor</u> condition.

This area also contained survey section 2; because concentrations of blight were so large, and all parts of this analysis area had a high degree of blight, the entire analysis area was treated as a survey section.

Today, this area contains a mix of the SFR, MDR, and R/B zones and the entirety of the MH district. It has many of the same facilities as in 1971, as well as commercial uses and community services near the two rivers.

(FIGURE 41 - 1971 City of Ogdensburg analysis area 3)

Analysis area 3 is bounded to the north by the St. Lawrence River, to the east by Champlain Street, to the south by Jay, Patterson, and Lafayette Streets, and to the west by the Oswegatchie River. This neighborhood included the central business district, the urban renewal area, the Ford Street business strip, the Sherman and Lincoln schools, factories along the St. Lawrence River, and residences to the north and south of Ford Street. It contained the most housing structures of any analysis area at 2,132:

- **80.6%** in <u>standard</u> condition;
- 14.4% marginal;
- 3.7% in poor condition, and
- 1.3% in very poor condition.

This area also contained survey section 3 with 550 total housing structures:

- 64.5% in <u>standard</u> condition;
- 22.6% marginal;
- **8.7**% in <u>poor</u> condition, and;
- **4.2%** in very poor condition.

Today, this neighborhood is mostly within the SFR zone, and partly in the MDR and R/B zones, as is survey section 3. It still contains the central business district as well as a large industrial area along the St. Lawrence River. Present-day land uses are mostly single-family residences.

(FIGURE 42 - 1971 City of Ogdensburg analysis area 4)

Analysis area 4 is bounded to the north by Jay Street, to the east by Ford Street, to the south by State Route 37 and the City limits, and to the west by Patterson Street. It contained the JFK School and the Belmont Courts housing project but only 240 total housing structures:

- 80.4% in standard condition;
- 10.8% marginal;
- 5.8% in poor condition, and
- 3% in very poor condition.

Since there were no significant concentrations of blight in this area, no survey section was identified.

Today, this neighborhood is within the SFR and the MDR zones. It contains commercial strips along State Route 37 and Ford Street, and the Ogdensburg Housing Authority is near its center between Lafayette and Jay Streets. The rest of this area has filled out with single-family residential development.

(FIGURE 43 - 1971 City of Ogdensburg analysis area 5 and 6)

Analysis area 5 is bounded to the north by the St. Lawrence River, to the east by the City limits, to the south by State Route 37, and to the west by Ford Street. It contained the St. Lawrence State Hospital and the bridge to Canada in the east, single-family residences to the west, and large tracts of vacant land. It had 126 total housing structures:

- **90.5%** in <u>standard</u> condition;
- **5.6%** marginal;
- **1.6%** in <u>poor</u> condition, and
- **2.3%** in <u>very poor</u> condition.

This area also did not designate a survey section due to no significant concentrations of blight.

Currently, this neighborhood is almost entirely within the SFR district, with few residences in the MDR zone. A minor section is within the R/B zone, but it does not contain residences. Most of the land area is either industrial, community services, or commercial; any residential areas are almost exclusively single-family.

It is important to note that analysis area 6, located to the east between State Route 37 and the southern limits, encompasses the rest of the City. This analysis area was almost entirely vacant, and no detailed study was conducted in the 1971 neighborhood analysis. Therefore, this analysis area is not included in this assessment.

(FIGURE 44 - 2023 City of Ogdensburg Land Use)

While the City of Ogdensburg does not have a land use map from 1971 to compare to 2023, the neighborhood analysis provides an accurate comparison. In the east, industrial uses, and

community and public services remain. The neighborhood that encompassed analysis area 5 contains almost entirely single-family residences, as in 1971. Commercial, and community and public services line the State Route 37 and Ford Street strips, and industrial uses remain in the southwest near the quarry. Based on housing information from the neighborhood analysis, single- and multi-family housing appear to be in largely the same areas.

Analyses for other population centers have found easily identifiable correlations between prior housing conditions and present-day MTAv by residential zoning district. This is supported by the fact that in every population center, a significant portion of housing was built before their respective neighborhood analyses. In Ogdensburg, 82% of the current housing stock was built before 1970 (2022 ACS 5-year estimates), but a correlation between prior housing conditions and current MTAv is not readily apparent.

The SFR district has the highest MTAv among the City's residential zones. However, it comprises a majority of the three survey sections with high blighting characteristics. Additionally, little to no correlation exists between the MDR, R/B, or MH districts and areas with deficient housing conditions. According to the exclusionary zoning criteria, because no readily apparent correlation exists between the 1971 neighborhood analysis, present-day housing conditions, and residential district MTAv, Ogdensburg does not meet the final criterion. Further, because Ogdensburg meets only one of the five exclusionary zoning criteria, it does not have exclusionary zoning.

Potsdam

*Potsdam Compared to Other Population Centers

According to the 2020 Decennial Census, the <u>Village of Potsdam</u> has a population of 8,312 people, making it the third most populated of the five population centers, ahead of Canton and behind Ogdensburg. It hosts two universities: Clarkson University and SUNY Potsdam, and as such, accommodates more student/temporary housing on average than other population centers. The <u>Village of Potsdam Zoning Code</u> provides regulations for Potsdam's four residential zoning districts: the One-Family Residence District (R-1), the Two-Family Residence District (R-2), the Multiple-Family Residence District (R-3), and the Group Dwelling District (R-4).

Potsdam's income and poverty metrics differ from other population centers in their disconnection. Poverty rates and median household and family income typically correlate with one another, but that is not the case in Potsdam. The Village ranks fourth among the population centers in its percentage for whom poverty status is determined (24.4%) and last in median household income (\$31,584) according to the 2022 ACS 5-year estimates. This is likely due to the presence of two university campuses whose full-time students are not employed, and the boundaries of census tracts around both campuses. However, it ranks second behind Canton in median family income (\$79,097) and MTAv (\$127,027).

^{*}Residential Districts Overview

*One-Family Residence District (R-1)

Potsdam's R-1 district has 577 residential parcels, 89.3% of which are one-family residences, and 2.6% are apartments. The MTAv for this zone is \$158,918, which is the highest among Potsdam's residential zones by a wide margin and the second highest among all 18 residential districts in county population centers. The zoning code states: "it is the objective of this district to delineate those areas where predominantly single-family housing has occurred or is appropriate and to ensure that any use in this district is compatible with this predominant type and intensity of use." One-family dwellings and accessory uses are standard uses in this district, bed and breakfasts require site plan review, and ADUs, home occupations, and tourist homes are permitted with a special use permit.

*Two-Family Residence District (R-2)

The R-2 district has 476 residential parcels, 72.9% of which are one-family residences and 4% of which are apartments. It has an MTAv of \$106,621, the second lowest of Potsdam's four residential districts. Potsdam's zoning code states: "it is the objective of this district to delineate those areas where a combination of single- and two-family housing, in combination with selected other residential and institutional uses, has occurred or is appropriate and to ensure that any use in this district is compatible with these predominant types and intensities of use." One-, two-family dwellings and accessory uses are standard uses in this zone, and multi-family dwellings, home occupations, and bed and breakfasts are permitted with a special use permit and site plan review.

*Multiple-Family Residence District (R-3)

The R-3 district has 33 residential parcels, 54.6% of which are one-family residences, and 33% of which are apartments. It has Potsdam's second-highest MTAv at \$115,810, breaking the trend of third-tier residential zones with a lower MTAv than the first and second-tier zones in other population centers. The zoning code states: "it is the objective of this district to delineate those areas where a combination of single-, two- and multiple-family housing, in combination with selected other residential and institutional uses, has occurred or is appropriate and to ensure that any use in this district is compatible with these types and intensities of use." One-, two-family dwellings, and accessory uses are standard uses in this zone. Garden apartments require site plan review, and multi-family dwellings, home occupations, and mobile homes are permitted with a special use permit.

*Group Dwelling District (R-4)

Potsdam's R-4 district has 9 residential parcels – the lowest of all 18 residential zones; 5, or 55.6%, are one-family residences, and 2, or 22.2%, are apartments. This zone has an MTAv of \$83,108, which is the lowest of Potsdam's four residential districts. The zoning code states: "it is the objective of this district to delineate those areas where a combination of multiple-family or group dwellings, in combination with selected other uses, has occurred or is appropriate and to

ensure that any use in this district is compatible with these types and intensities of use." Accessory uses are permitted by right, and garden apartments, multi-family dwellings, and group dwellings require site plan review. Home occupations and bed and breakfasts require special use permit approval.

It is difficult to determine whether Potsdam has exclusionary zoning based on the characteristics of each district, due in part to outliers caused by uneven sample sizes. However, each zone description uses the phrase "have occurred," suggesting they were delineated following existing development patterns. The Village included a neighborhood analysis in its 1964 master plan summary with in-depth statistics on housing conditions.

(FIGURE 45 - 1964 Village of Potsdam land use)

The Village had noticeable similarities in 1964 compared to present day. Clarkson University, SUNY Potsdam, and Potsdam Central School highlighted the Village's main community services. Commercial and mixed uses lined Main Street and Market Street, and residences were in largely the same areas as they are today. Yet Potsdam has seen new development and increased its area since 1964, expanding housing development in the process.

The 1964 master plan detailed residential land use in Potsdam; single-family residences comprised nearly a quarter of the Village's developed area (23.3%). Two-family residences made up 6.3% of the developed area, and multi-family residences accounted for 3.2%. Additionally, the acreage per 1,000 persons with a population base of 5,635 (excluding college students) was 52.7 and the acreage per 1,000 persons with a population base of 8,815 (including college students) was 33.7. This indicated that the population density was higher when school was in session.

In 1964, Potsdam had a population of 7,765 and 1,879 housing units. The number of housing units has increased by over 60% to 3,025, around 40% of which are single units (attached or detached). Additionally, 60.9% of the Village's housing stock was built before 1970, and 54.1% was built before 1960 (2022 ACS 5-year estimates).

(FIGURE 46 - 1964 Village of Potsdam planning districts)

Potsdam's 1964 neighborhood analysis included five "planning districts" lettered A – E. For the purpose of this analysis, planning districts A and E were combined to align with a housing unit assessment from the same period. This housing unit assessment provided a percentage of standard and substandard units by "enumeration district". These districts were numbered 37-42 and correspond to the Village's planning districts. Enumeration districts (EDs) 37 and 42 align with planning district C; ED 38 aligns with planning district B; ED 39 corresponds with planning districts A and E; and EDs 40 and 41 make up planning district D.

(**FIGURE 47** - 1964 Village of Potsdam housing unit assessment)

The Village of Potsdam housing unit assessment of 1964 was used to determine the percentage of standard and substandard housing units in the Village.

(FIGURE 48 - 1964 Village of Potsdam planning districts A & E)

The combined planning districts A and E are located on the west side of the Village, separated from the other planning districts by the Raquette River. They are bounded to the north, west, and south by the Village boundary and to the east by the Raquette River. Their combined population of 1,498 was the second lowest among the other three planning districts. They also had the lowest number of housing units at 211, 30% substandard. Two central facilities highlighted these districts: Sandstoner Park/Pine Street Arena, located to the north of Route 11, and Clarkson University, located just south of Route 11.

These two central facilities exist today, with Clarkson University expanding its footprint by nearly 400 acres to the west. Maple Street has filled out with commercial uses, and the bypass bridge on Route 11 has since been built. This bridge is located immediately adjacent to the railroad tracks and has provided an additional point of ingress and egress from Market Street since it opened circa 1980. Housing has also expanded to the north on State Highway 345. These two planning districts contain a relatively even mix of all residential zones.

(FIGURE 49 - 1964 Village of Potsdam planning district B)

Since planning districts A and E were combined for this assessment, planning district B is the smallest by area and is located west of Market Street. It is bounded to the north by the Village boundary, to the east by Market Street, and to the south and west by the Raquette River. It had the lowest population at 1,282 people and the second-lowest number of housing units at 425. Despite this, it had the highest percentage of substandard housing at 35%, and the majority of blighted areas in the Village were found in this planning district.

Today, this district mostly contains the R-2 zone and part of the R-3 zone. Commercial uses still highlight the north and south sections, with residential structures in the middle. The construction of the Route 11 bypass bridge has opened opportunities for expansion in this area. Commercial development has increased in the present-day Central Business District, and what used to be commercial uses in the present-day R-2 and R-3 zones are now one-, two-, and multi-family housing.

(FIGURE 50 - 1964 Village of Potsdam planning district C)

Planning district C is located in the northwest section of the Village and is the largest planning district by area. It is bounded to the north and east by the Village boundary, to the south by Elm Street, and to the west by Market Street. It had the second highest population at 2,410 people and the most housing units at 712, 17% substandard. The main facility in this district was and still is Potsdam Central School.

Currently, this district contains mostly the R-1 zone, and some R-2 and R-3 near its borders. Housing development is close to the school, with commercial development along Route 11B to the southeast and along Market Street to the northwest.

(FIGURE 51 - 1964 Village of Potsdam planning district D)

Planning district D is located in the southwest section of the Village. It is bounded to the north by Elm Street, to the east and south by the Village boundary, and to the west by the Raquette River and Market Street. It had the highest total population at 2,575 people and the second most housing units at 531, 17% substandard. SUNY Potsdam was and still is this district's central facility.

Today, this area contains a mix of all residential zones, a majority being R-1. To this day, a portion of the housing in this district is temporary student housing located close to campus. This ranges from apartment buildings with single-person units to large housing communities such as Collegiate Village, located on Main Street across from campus.

(FIGURE 52 - Village of Potsdam new areas since 1964)

In addition to expanding development within Village limits, Potsdam has increased its land area since 1964. Please note that these areas are approximated and may not follow exact parcel boundaries. It annexed a commercial area in the north, including Lowe's, a water tower, and two retail shopping plazas. Additional areas were added for the Potsdam Municipal Airport and Clarkson University to the east and west, respectively.

(FIGURE 53 - 2023 Village of Potsdam land uses)

Potsdam has many community and public services located near the Village boundary. These include the high school, universities, parks, and municipal structures. Residences are found close to SUNY Potsdam and Potsdam Central School on the east side of the Village and in the center of the Village off Market Street. Commercial businesses, restaurants, and shops are concentrated in the center on Main Street, Maple Street, Elm Street, and along Market Street.

As previously mentioned, 54.1% of Potsdam's housing stock was built before 1960, 4 years before the master plan was adopted. What's more, a majority of blighted areas from 1964 were located mostly in the present-day R-2 zone, an area that also had the highest percentage of substandard housing. If it is assumed that at least half of the housing in this area was built in or before 1964, the R-2 zone should have the lowest present-day MTAv. While the R-2 zone has the third lowest MTAv (\$106,621) behind the R-4 district (\$83,108), the low sample size of the R-4 district (9 residential parcels) should be taken into consideration. Additionally, the R-1 district, which is the only residential district that prohibits multi-family housing, has a difference in MTAv of nearly 28% from the next highest residential district, the R-3 zone (\$115,810).

Potsdam meets two of the first four exclusionary zoning criteria according to the analysis table. While the Village permits ADUs in the R-1 district, it requires special use permit approval. As do

multi-family housing units in the R-2 and R-3 districts (multi-family housing requires only site plan review in the R-4 district). The final condition is difficult to quantify due in part to the Village's unique residential zone characteristics. Discrepancies in MTAv between residential districts have been exacerbated by prior land development and housing conditions. Because a significant portion of the Village's housing stock was built prior to the master plan assessment, circumstances that negatively affected housing in 1964 still have an impact today. These disparate impacts make Potsdam meet the final criterion, and because it meets four of the five criteria, it has exclusionary zoning.

CONCLUSION

Exclusionary Zoning in the Courts

Exclusionary zoning, whether purposeful or inadvertent, negatively affects a community's overall development. Any place that enacts or encourages exclusionary zoning practices gives way to housing segregation. Municipalities in St. Lawrence County with exclusionary zoning have neighborhoods with discernible differences in housing quality, public facility conditions, and overall standards of living. But why exactly is it a problem?

As it turns out, New York State courts have addressed exclusionary zoning and have determined that a community's zoning regulations must reflect and support its housing needs. <u>Berenson v. Town of New Castle (1975)</u> outlines the NY Court of Appeals opinion as it relates to the "health, safety, morals, or general welfare of the community."

*Berenson v. Town of New Castle (1975)

(FIGURE 54 - Town of New Castle, NY)

The Town of New Castle excluded multi-family residential housing from its list of permitted uses, causing the plaintiff to challenge the validity of the Town's zoning ordinance. The court considered multiple factors in this case, including the Town's location 35 miles north of New York City, the post-World War II population growth and rush to suburbia, and the legislative and judicial history of zoning.

First, the court determined whether the ordinance provided a "properly balanced and well ordered plan for the community." If, in fact, the current multi-family housing stock met Town residents' needs, it would have been perfectly acceptable to limit new construction. However, since the first zoning ordinance was adopted, only a few older apartment buildings existed as nonconforming uses. This was not a sufficient multi-family housing stock to justify its blanket prohibition.

Second, the court considered regional needs and requirements. While a zoning ordinance should examine the impact on the general welfare of the zoning township, it should also consider neighboring communities. Even if the Town of New Castle does not require additional multi-family housing to satisfy its needs, the surrounding region may. In this case, the court

acknowledged the Town's proximity to New York City, whose housing needs are much greater than nearby suburban areas.

Finally, the court reviewed case law for a complete judicial history of zoning enforcement. Courts may rule differently on similar issues, as nuances change case by case. In the end, the court upheld the plaintiff's challenge and determined the Town's zoning ordinance invalid. Today, the Town of New Castle enforces a "form-based" zoning ordinance that focuses on the physical form and appearance of buildings rather than the separation of land uses. This differs from "traditional" or "Euclidean" zoning established from Village of Euclid v. Ambler Realty Co. (1926).

*Village of Euclid v. Ambler Realty Co. (1926)

(FIGURE 55 - Euclidean zoning. Otherwise known as "Traditional" zoning)

The Village of Euclid is a suburb of Cleveland, Ohio, that adopted an ordinance on November 13th, 1922, establishing a comprehensive zoning plan. This zoning plan restricted the location of land uses, lot size, and building height, and was challenged on the grounds that it violated the 14th Amendment of the U.S. Constitution. The case went all the way to the U.S. Supreme Court, where the appellee claimed that the ordinance deprived them of "liberty and property without due process of law and... the equal protection of the law."

The Court ultimately held that the ordinance was a "valid exercise of authority," which in turn allowed for the nationwide enforcement of zoning. In St. Lawrence County, population centers mostly have traditional zoning ordinances that govern land uses, lot sizes, setbacks, and building heights. However, elements of form-based zoning have made their way into local land use codes. With form-based zoning, a community focuses on how development fits the neighborhood character rather than whether a land use is allowed in a particular area. This type of zoning ordinance may accommodate housing construction in a way that traditionally structured zoning may not.

Form-Based Zoning

A form-based zoning code (FBC) is useful for encouraging affordable housing development that fits with the neighborhood's character. An FBC is a type of zoning code that focuses on the physical form of buildings and how they fit in with the neighborhood character rather than assigning permitted uses to zoning districts. While they still regulate land use, FBCs first look at the building placement, size, relationship to the surrounding structures, and then formulate a list of compatible land uses.

(FIGURE 56 - Town of Malta, NY FBC building types)

*Building Types Example

The Town of Malta, NY includes examples of compatible building types in respective zoning districts. FBCs in New York State include similar review requirements as traditional zoning codes

in St. Lawrence County. The process of site plan and special use permit review remain standard practice.

Communities nationwide have implemented FBCs to varying degrees of success, as they are most effective when paired with other policies such as inclusionary zoning and financial incentives. Miami, Florida, implemented what is now one of the most famous FBCs in the country, promoting walkability and urban design. However, without inclusionary zoning policies, neighborhoods may not accommodate affordable housing. Buffalo, New York, also updated its code to remove parking minimums to support diverse housing types. Despite the City's affordable housing needs, limited financial incentives have created barriers to lowincome housing development.

*Form-Based Code Examples

(FIGURE 57 - Village of Port Chester, NY)

*Village of Port Chester, NY - Character-Based Code

<u>The Village of Port Chester, NY</u> is located in southeast Westchester County, approximately ten miles north of New York City. Before 2020, it had a traditional zoning ordinance, which it changed to encourage development by implementing the <u>Village of Port Chester Character-Based Code</u>. This FBC "represents a change in the way the built environment is regulated."

Since the adoption of the character-based code in 2020, the Village has experienced the development of around 3,000 to 4,000 housing units, the majority of which are multi-family developments or mixed-use retail with second-floor apartments. However, lengthy review processes for high-density developments persist; a project consisting of 80 to 400 units may take between six months and a year from application to permit. Furthermore, the code lacks specific parking requirements, meaning high-density developments may lead to more parking spots than needed.

Port Chester's population of 31,693 (2020 Decennial Census) makes it significantly larger than any population center in St. Lawrence County, and as such, it has different housing needs. Notwithstanding, the character-based code may act as a model for municipalities drafting an FBC. It divides the Village into "character," "special," and "civic" districts and provides examples for each permissible building type in addition to general provisions.

*Town of Malta, NY – Form-Based Downtown District

(FIGURE 58 - Town of Malta, NY)

<u>The Town of Malta, NY</u> is located in Saratoga County southeast of Ballston Spa. In 2013, the Town wanted to encourage high-density housing and mixed uses to create a walkable downtown, and adopted the <u>Downtown Malta Form-Based Code</u>. This district is located at the intersection of Highway 67 and Route 9, and resembles the size of a downtown district in one of St. Lawrence County's population centers.

The Town has not experienced many affordable housing developments since the district's adoption. The Town of Malta does not generally have a low cost of living, and the Town Board is hesitant to encourage affordable housing. Single-family housing and townhomes have been constructed in the downtown, but prices start at \$600,000.

Unfortunately, high construction costs and the COVID-19 pandemic have created a reluctance to develop residential housing in the downtown. However, the downtown form-based district works well for commercial growth, as developers appreciate the code's predictability. Form-based codes or districts do more than encourage residential growth; if implemented correctly, a community can see positive change in its commercial development.

(FIGURE 59 - City of Kingston, NY)

*City of Kingston, NY – Form-Based Development Code

<u>The City of Kingston, NY</u> is located in northeast Ulster County between Albany and New York City. Kingston had a traditional zoning code since the 1960s, but in August 2023, it adopted the <u>City of Kingston Form-Based Development Code</u>. Despite the short timeline since its adoption, the City has seen a positive difference in small-scale residential development, likely due to the addition of ADUs to its list of permitted uses and eliminating minimum lot sizes.

Kingston's review process depends on the project; housing developments with more than three housing units (which is considered a major site plan by City standards), requires planning board approval. According to the City Planning Department, a project with around 10 housing units may take a month to review. The City has instituted a goal to add approximately 1,000 housing units by the year 2029 due to its high rental population, and it is optimistic based on its current trajectory.

Finally, the FBC removed minimum parking requirements, complimenting the removal of minimum lot sizes. Its traditional code required two parking spaces per housing unit, which limited housing options on small lots. Kingston has seen positive change in the past two years since maximizing density with its FBC.

Zoning Code Updates

Implementing a form-based zoning code requires a complete overhaul, so municipalities may opt for an update to their current code. Requirements in these traditional zoning ordinances can be restructured to encourage inclusive housing development. Each population center may wish to alter certain requirements, even if its code is not exclusionary, in order to accelerate affordable housing availability.

*Changes for Every Population Center

While every zoning ordinance differs, each population center may benefit from similar changes that encourage the adaptive reuse of land, allow for a wider range of land uses, and reduce

lengthy review processes for low-income housing. Every change has the potential to combat exclusionary zoning and increase housing affordability, but downsides must be addressed.

The rising age of housing stock in St. Lawrence County negatively affects affordable housing availability. Old housing stock that is not kept up to code is difficult to convert into modern, usable housing space. However, communities with low vacancy rates need new housing to accommodate renters and first-time homebuyers.

(FIGURE 60 - Single-family neighborhood. Low-density development can exclude by income and housing type)

A consolidation of residential zoning may involve increasing the number of districts where multi-family housing is permitted by right. It may also mean eliminating single-family zoning districts altogether, which promotes equal municipal-wide housing opportunity despite marking a major change in any population center's future development.

A change of this size and magnitude would not be without its challenges, perhaps the largest being resistance from local governments and community opposition. Typically, any large zoning change creates public backlash due to impacts on neighborhoods, traffic, noise, and housing values. These are valid concerns, and a large zoning overhaul will alter the character of these areas, however these changes may be necessary in a community aiming to prioritize affordable housing.

(FIGURE 61 - Local planning review flowchart. These processes may take up to a couple of months due to timeline requirements)

Lengthy review processes hinder the construction of multi-family housing complexes, which are already limited to certain zones. A solution involves a "ministerial review" process in which the local code enforcement officer reviews the site plan and accompanying documentation for a multi-family housing project instead of the local planning board so long as the project satisfies the community's dimensional standards. In instances where a variance is required, the project would be subject to a public hearing and a review by the local zoning board of appeals. While this may streamline the review process and make affordable housing construction more accessible, it may see pushback from local governments, and understandably so.

Local planning board review is an important step to ensure a project meets the area's needs and fits its character. A ministerial review process inhibits the local planning board's influence, but in return, expedites the review process for multi-family housing. Lengthy reviews are a large hurdle for these projects, so reducing the burden on the developer may encourage affordable housing.

(FIGURE 62 - Large, empty parking lot. Lots like this exist everywhere, and may only be full a few times a year)

Every population center has minimum parking requirements that, in some cases, make for inefficient land use. These requirements ensure adequate parking for various land uses, but often create large lots that remain empty year-round. One solution to this problem is infill, which some population centers have implemented. A Taco Bell restaurant was built on an existing parking lot in Ogdensburg, and a McDonald's in Canton. This allows the use of lots that would otherwise see no traffic while leaving other areas open to future development.

A majority of empty parking spaces in any municipality, however, are not in residential zoning districts. Aerial imagery shows large, empty parking lots downtown, mostly in business/commercial districts. In nearly every population center, business districts permit multi-family housing of some kind, typically with a lengthy review process.

Adjusting parking ratios or turning existing requirements into parking maximums, where a developer may not exceed the current limits, may promote efficient land use. Additional infill on empty paved lots is also a suitable solution to increase affordable housing stock as it keeps commercial uses together while freeing space for residential development elsewhere. However, high construction costs, labor shortages, and difficulties with land acquisition may restrict this activity. What's more, infill requires updating municipal drainage, water, and sewer systems.

Adaptive reuse and redevelopment of derelict or vacant buildings is another way to revitalize a community. Local examples include the Quarry in the Village of Potsdam, Midtown Plaza in the Village of Canton, and second-story apartments on Main Street in the Village of Gouverneur, which while currently vacant, have potential for reuse and redevelopment.

The following slideshow depicts parking areas in population centers (highlighted in **RED**) that either see little to no traffic, or provide examples of infill or inefficient parking requirements. Click on the image to view it in full screen, then click the arrow to view the next slide.

(FIGURE 63 - Canton: Both corners of State Route 310 and US Route 11)

The lot highlighted on the left is an example of commercial infill. The building at the bottom left of the lot is a McDonald's restaurant built on the existing parking lot. This lot was too large for the existing Price Chopper grocery store, but now has more use thanks to efficient infill.

The large lot to the right serves Canton's Pizza Hut and Burger King Restaurants, its Verizon store, and a large retail plaza. The two restaurants built on the existing lot are additional examples of efficient infill, but a large portion remains empty. This lot lies in the Corridor-Commercial district, and is an ideal spot for additional commercial development.

(FIGURE 64 - Canton: Miner St., "Midtown Plaza")

Midtown Plaza on Miner Street has been a longstanding eyesore, and the current focus for redevelopment. To date, a development group plans to build affordable housing on this lot, which may provide a blueprint for other municipalities seeking strategies for infill.

(FIGURE 65 - Gouverneur: US Route 11)

The retail-shopping plaza on the east boundary of the Village of Gouverneur has a parking lot that exceeds its needs. A now vacant auto repair garage fills the southeast, with supply storage in the southwest. This lot is in the Highway-Commercial district, which permits many commercial and residential uses.

Additionally, Gouverneur has many vacant second-story apartments lining Main Street which it may look to redevelop. In the 2010s, the Village of Potsdam rehabilitated fire damaged second-story apartments in the Market Street National Historic Register District; the success of which Gouverneur may mimic with Downtown Revitalization grant funding.

(FIGURE 66 - Massena: Walmart & Home Depot, off State Route 37)

Massena's Walmart and Home Depot retail stores are located further along Route 37 from the shopping plaza. While this area does have infill opportunity on the north side of the lot, it is a better example of excessive parking requirements. Walmart alone accounts for approximately 920 spaces; one space per 200 square feet of gross floor area. Today, the code requires one space per 300 square feet of sales space, an improvement over Walmart's current parking situation.

(FIGURE 67 - Ogdensburg: Corner of Ford St. and State Route 37)

Ogdensburg's parking lot for Lowe's, Price Chopper, and other small stores has seen infill with Taco Bell near the lot's entrance. However, the red outline highlights another area that would be an ideal location for another business.

(FIGURE 68 - Ogdensburg: Patterson St.)

The vacant paved space on Patterson Street is classified as vacant commercial. It is located in the Business district, which prohibits residential uses, but the City does offer the opportunity for planned development districts, which a developer may utilize for a housing complex, or a commercial business to blend with similar surrounding uses.

(FIGURE 69 - Ogdensburg: Walmart, corner of Ford St. and State Route 37)

Ogdensburg's Walmart is another example of an inefficient parking lot, with approximately 650 spaces. The City's present-day zoning code requires one space for every 400 square feet of gross floor area, which for an approximately 125,000 square foot building, comes to 312 parking spaces; less than half the current number of spaces.

(FIGURE 70 - Potsdam: Corner of Market St. and May Rd.)

The large lot on the corner of Market Street and May Road in the Village of Potsdam is meant to serve the shopping plaza and Subway on opposite sides of the lot. Its location in the Business district leaves it as a potential location for multi-family housing. Not only would this use be permitted in the Business district, but a housing complex at this location would be within a half

mile of three other housing developments (Mayfield Senior Apartments, Meadow East Apartments, and the Potsdam Housing Authority).

Another example of successful redevelopment in Potsdam is the Quarry on Elm Street. Formerly Old Snell Hall on Clarkson University's campus, it now offers units for Village residents and students with income-based rents.

<u>Population Center Zoning Updates</u>

(FIGURE 71 - Criteria Table)

The following table depicts which population centers meet which exclusionary zoning criteria. **GREEN** \checkmark 's indicate where a population center does <u>not</u> meet a criterion, and **RED** X's indicate where it <u>does</u> meet a criterion. The more criteria a population center meets, the more exclusionary its zoning is. Potsdam and Gouverneur meet all but one criteria, whereas Ogdensburg meets only one of the five conditions.

While every population center could benefit from broad code changes, each has regulations tailored to its community's needs. However, these requirements may discourage affordable housing development. Below are updates each population center may make to its zoning ordinance to become more "housing-friendly."

(FIGURE 72 - Canton overhead imagery)

*Canton Zoning Updates

Despite permitting accessory dwelling units (ADUs) in two of its three residential zones, Canton may benefit from a slight change in its ADU standards. In the code, accessory dwelling units are defined as "A secondary dwelling unit of 600 square feet or less of habitable space, established in conjunction with, and clearly subordinate to, a primary dwelling unit, that shall be located in the same structure as the primary dwelling unit." The Village may wish to alter this definition to allow ADUs in a separate building. This would provide more flexibility for renters, especially in Canton where college students require temporary housing. Additionally, the Village may accommodate ADUs with a side and rear setback reduction to allow more buildable space on residential lots.

Canton may also expand its permitted uses, allowing more "missing middle" housing by right in its residential zones. "Missing middle" housing refers to housing that is similar in scale to single-family homes, but contains multiple units. This includes duplexes, triplexes, and fourplexes that fit a single-family neighborhood's character. A wide variety of permitted housing types invites housing diversity that may be lacking in certain areas of the Village.

In addition to updating its existing code, the Village may implement a form-based zoning code or form-based districts along Main Street and near St. Lawrence and SUNY Canton Universities. A change in focus to regulating building design in these areas may pave the way for more temporary student housing and unique commercial development.

Finally, the Village may wish to permit multi-family housing by right in more zones, which makes for a more balanced and inclusive community. An ideal Pro-Housing zoning ordinance would allow all housing types by right, Village-wide. However, this is not realistic for every community.

(FIGURE 73 - Gouverneur overhead imagery)

*Gouverneur Zoning Updates

Gouverneur is one of the more restrictive population centers for multi-family housing, as it is permitted in the R-3 district with site plan and special use permit approval. The Village may include a form-based zoning district or overlay for commercial and high-density housing development. This would allow it to supplement its dimensional requirements to fit specific building types rather than keeping them uniform for all uses.

The Village may also define accessory dwelling units in its code. The Village of Gouverneur Zoning Regulations defines an "Accessory Use" as "A use which is incidental to the principal use of the primary structure and/or lot. Accessory uses include occupations conducted within a residence." While this may include ADUs, the Village Zoning Board of Appeals may interpret this definition another way, so a formal definition would prevent this from occurring.

Dimensional requirements may halt additional housing development. The code requires three parking spaces for every two units for a multi-family dwelling, and two spaces for a property owner plus one space for every two boarding residents for group dwellings. What's more, it requires a minimum lot size for multi-family dwellings of 7,000 square feet per dwelling unit plus 3,000 square feet for each unit. Large minimum lot sizes create low-density housing areas, ideal for single-family communities but problematic for multi-family housing development. Reducing this minimum lot size may allow for higher-density housing in this zone, which is designated for such development. For reference, the Butternut Hill Townhome Community located in the R-3 zone at 154 Hailesboro Drive contains 40 units. This complex requires 6.77 acres according to the code, but sits on a 5.74-acre lot. A simple solution would be to reduce this requirement, but in keeping with the neighborhood character, the Village may instead grant by-right permission to multi-family housing in more than one residential zone.

(FIGURE 74 - Massena overhead imagery)

*Massena Zoning Updates

Much like other population centers, Massena does not permit "missing middle" housing anywhere in the Village. Duplexes, triplexes, fourplexes, and townhomes bridge the gap between single-family housing and high-density apartment complexes. The Village may permit these uses either by right or with a streamlined review process in its residential zones to potentially create a more diverse housing stock.

Massena also has strict nonconformity regulations that it may wish to address. §300-3.E. states: "Any nonconforming building or structure damaged more than 75% of the fair market value at the time of damage by fire, flood, explosion, earthquake, war, riot, or act of God cannot be so reconstructed and used as before such calamity, but if less than 75% is so damaged, it may be so reconstructed or used, provided that this is done within 12 months of such calamity. Fair market value shall be determined by the Code Enforcement Officer and the Assessor." The Village may draft less strict requirements that allow for the in-kind reconstruction of existing housing complexes to ensure its population is not displaced.

Similar to other population centers, Massena may include a definition for ADUs. Its code defines "accessory use" as "A use incidental or subordinate to the principal use of land or of a building. In buildings restricted to residence use, the office of a professional and customary home occupations shall be deemed accessory uses." This may include ADUs, but a separate definition would prevent misinterpretations.

The Village may also permit multi-family housing in more zones as it is only a permitted use in the R-C district after site plan review. It also only permits "residential uses" in the Commercial Transition District, which may include multi-family housing, but nonetheless restricts its capacity Village-wide. Massena may also alter its minimum lot size for multi-family housing projects to very based on the building size and design. Its current minimum lot size is 5,000 square feet per dwelling unit, which is a large footprint for high-density development. For reference, Regency Apartments, located in the R-C district at 247-251 Andrews Street contains 88 units. This complex is on five lots which total 7.28 acres, yet the minimum lot size for this complex is more than 10 acres according to the regulations.

(**FIGURE 75** - Ogdensburg overhead imagery)

*Ogdensburg Zoning Updates

While Ogdensburg may not have exclusionary zoning, it may still take actions to promote housing such as conducting a local housing needs assessment. This may include outlying municipalities such as the Village of Heuvelton and the hamlets of Lisbon and Morristown as these act as bedroom communities for the City. This assessment may identify specific parcels that the City could rezone for higher density or infill. The City may also conduct similar community-wide surveys as in its 1971 neighborhood analysis survey sections to determine individual housing needs.

The City may also create municipal affordability goals that outline parameters developers should meet with their project designs. These goals may include building some percentage of a project as affordable housing for income-qualified individuals. The City may reward any developer that meets these goals with a reduction or waiver of municipal fees associated with the project, or tax incentives such as a PILOT, or payment in lieu of taxes.

Finally, Ogdensburg may make small changes to its zoning code in an effort to address all exclusionary zoning criteria and make housing development easier. The City may make its parking requirements dependent on the project design to reduce the amount of paved area. Additionally, it may consolidate its residential zones to allow more housing types around the City, or it may permit more uses in its single-family residential zone.

(FIGURE 76 - Potsdam overhead imagery)

*Potsdam Zoning Updates

Similar to Canton, Potsdam has two universities and, as a result, accommodates a considerable amount of temporary housing. The Village may draft a form-based district for its downtown and university-adjacent residential areas that would streamline access to affordable off-campus housing, which may be in demand in these regions. Additionally, the Village may consider a new traffic plan to create a more walkable downtown; the section of Market Street between Main Street and Elm Street closes for Summer fest in July. While ambitious, the Village could permanently close this section to establish a pedestrian-only commercial strip for shopping, similar to the commons in the City of Ithaca, NY, or Church Street in the City of Burlington, VT.

The Village may also alter the requirements in its code to shorten its review process. Currently, many permitted uses in residential zones are subject to site plan review, and multi-family housing requires a special use permit in two of three zones in which it is permitted. The Village may consider waiving the special use permit requirements for multi-family housing projects, and allow ministerial reviews for ADUs.

Further, the Village may change certain requirements to increase the housing supply, such as permitting ADUs in all residential zones, or reducing its side and rear setback requirements to accommodate more buildable space for ADUs. It may also change parking requirements to vary based on the project. This could be for multi-family and group housing (which require one space for each bedroom within the dwelling or three spaces for every two residents, respectively), or for large retail projects as well. In many areas, these projects typically pave large parking lots that turn up empty or unused.

<u>Pro-Housing Communities</u> (FIGURE 77 - NYS HCR logo)

NYS Homes and Community Renewal's (HCR) Pro-Housing Community (PHC) Program "provides a certification program for local governments that are taking action to support housing growth to address the housing shortage throughout the State." This initiative provides localities that have PHC status opportunities to apply for "key discretionary funding programs." These include the Downtown Revitalization Initiative (DRI), the NY Forward Program, and the Regional Council Capital Fund, capital projects from the Market New York program, the NY Main Street Program, and the Public Transportation Modernization Enhancement Program (MEP).

^{*}Pro-Housing Community Program Overview

Communities looking to achieve PHC status must first submit a letter of intent to HCR. Next, HCR will verify the local zoning codes and housing permit approval information over the last five years. If a municipality in St. Lawrence County wishes to achieve certification, it must show that it has approved either:

- Permits increasing its housing stock by 0.33% in the past year, OR
- Permits increasing its housing stock by 1% over the past 3 years.

Any municipality that has not seen housing growth can still be certified by passing a resolution that is linked on the PHC webpage. Any local government that passes this resolution acknowledges that a lack of housing negatively impacts economic growth and community well-being and supports housing production, among other things.

As of May 2025, all five population center in St. Lawrence County, along with five other municipalities (the Towns of Canton and Morristown, the Villages of Heuvelton, Rensselaer Falls, and Waddington), have achieved PHC certification. Click the link to view HCR's PHC Dashboard.

Every SLC population center can leverage its PHC status to receive state funding to increase its housing stock.

Vacant Housing

(FIGURE 78 - Map of vacant residential parcels)

*Vacant Housing by Population Center

The following map depicts vacant parcels within residential zoning districts in **DARK GREY**. Municipally owned vacant parcels are dotted and have a **BOLD PINK** outline. Please note that "municipally owned" parcels indicate property owned by cities, towns, and villages, and do not include private ownership. Municipalities are "immune" to zoning regulations, meaning they would not have to follow requirements outlined in an ordinance. This leaves them with more freedom than a private developer would have if they developed a project on a vacant tract of land.

Strategies for new housing development in these areas include adaptive reuse of existing structures and construction on vacant lots. New construction is subject to additional taxes, which may present a financial barrier, and adaptive reuse has less design flexibility and the possibility of hazardous materials. Regardless, these municipalities may wish to use these lots for affordable housing construction, as low vacancy rates and high rental occupancy create a greater need for these facilities.

Housing Assistance Availability

(FIGURE 79 - Map of housing complexes in St. Lawrence County)

The following map depicts the location of housing complexes in St. Lawrence County by type. See the legend for a list of all housing types.

*Affordable Housing Demand

Certainly, many of these housing complexes can provide affordable housing for those in need. The more significant question is whether the affordable housing stock meets the current demand. Housing demand is difficult to quantify, as no direct statistics outline how many people need housing in a given community. However, census data summarizes housing availability amongst population centers.

(FIGURE 80 - Housing unit statistics in St. Lawrence County population centers)

*Housing Unit Statistics

The following table outlines characteristics of housing units as they relate to owners and renters by population center. A **DARK BROWN** box outlines the highest number within a given row, and a **LIGHT BROWN** box highlights the lowest. The top row shows the total housing units, and the second row shows the percentage of those units that are occupied. The third row highlights the percentage of vacant units, with Gouverneur at 14.4% and Canton at only 4.3%. The next two rows show the percentage of renter-occupied units vs. owner-occupied units. Expectedly, Canton and Potsdam have higher renter populations due to the two universities in each area. The final two rows depict the percentage of cost-burdened owners and renters. "Cost-burdened" in this context refers to someone whose monthly housing costs equal 30% or more of their monthly income. While this statistic cannot be calculated for every owner/renter in a population center, it shows how much more cost-burdened renters are than owners.

Other Strategies for Affordable Housing

While zoning is a valuable tool for a community to create, restore, and accommodate affordable housing, other mechanisms and programs may also help a municipality achieve this goal.

*Housing Rehabilitation Program

An active housing rehabilitation program with funding from the <u>HOME Program</u> or the <u>Community Development Block Grant (CDBG)</u> may give opportunities to low-income individuals in need of assistance. These programs are administered by HUD and provide funding for a wide range of activities that includes building, buying, or rehabilitating affordable housing. Typically, municipalities apply for these funds in partnership with a local nonprofit organization to fund housing rehabilitation projects.

*Payments in Lieu of Taxes (PILOTs)

PILOTs are another way to encourage affordable housing development as these payments offset the loss of property taxes from tax-exempt organizations and help local governments perform community services. As a legally binding agreement between the local taxing

jurisdiction and the project developer, PILOTs offer a benefit to both parties as developers see financial relief and local governments receive a predictable revenue stream. Governments may offer PILOTs to housing developers to which may provide financially feasible affordable housing projects.

*Low-Income Housing Tax Credits (LIHTC)

The <u>Low-Income Housing Tax Credit (LIHTC) Program</u> was created by the Tax Reform Act of 1986. It provides State and local LIHTC-allocating agencies an annual budget to issue tax credits for "the acquisition, rehabilitation, or new construction of rental housing targeted to lower-income households." The rehabilitation project at 51, 53, 55, and 57 Market Street in Potsdam used this program to provide affordable rental units to low-income individuals.

*First Time Homebuyer Program

Prior to 2020, St. Lawrence County administered a First Time Homebuyer program with the North Country Housing Council. These programs assist income-qualified individuals with down payments, low-interest mortgage loans, closing costs, and provide education on budgeting and proper homeownership practices. These programs are important for individuals exploring the housing market with limited or no experience, and State grants such as HCR's CDBG can provide funding.

Closing

Populated areas usually develop wealthy and impoverished neighborhoods when municipalities fail to reinvest in older, established areas, which creates an unequal foundation for community growth. Exclusionary zoning often results from local governments managing land use to maintain community character, and to rectify this requires change.

Housing availability is a challenge that affects the entire U.S. and St. Lawrence County just as much. New York State's Municipal Home Rule Law offers local governments a way to help the housing market grow. The power to pass resolutions and change existing local laws means a community can shape its future, but the first step to solving any problem is recognizing it exists. While zoning is not a cure-all for universal housing access, it is a tool that local governments can adjust. It cannot change overnight, but public officials pushing for better quality housing for their constituents and a community willing to embrace progress are a good start.

The relationship between land use planning and fair housing is one of give and take. Local municipalities have the right to control land use development how they see fit for their community, however, it should promote equal opportunity for a secure living situation. A society that tries to please everyone must make sacrifices, and it must ensure that those sacrifices, whatever they may be, benefit the community to the largest extent possible while keeping its integrity, character, and tradition intact.

GLOSSARY OF TERMS

* Each term is defined as it is used in the context of this assessment.

"Accessory Dwelling Unit (ADU)"

 A secondary housing unit on a single-family residential lot that provides independent living space.

"Adaptive Reuse"

o Repurposing existing vacant buildings for new uses and construction.

"Affordable/Low-income Housing"

o Housing that does not present a cost-burden to the household.

"Appellee"

 The party against whom an appeal is filed and responds to and defends the appeal. In contrast, the appellant is the party who appeals a lower court's judgment to a higher court (Cornell Law School).

• "Bedroom Community"

 A community located outside the official boundaries of a population center with a large portion of its population commuting there for various reasons.

• "Commercial use"

 A land use that is primarily commercial in nature. This includes but is not limited to: restaurants, retail stores, office buildings, hotels, movie theaters, banks, bars, gas stations, parking lots, warehouses, and supermarkets.

"Community and Public Services"

A land use that includes municipal and public institutions, and utilities. This
includes but is not limited to: libraries, schools/universities, religious institutions,
hospitals, government buildings, cemeteries, water treatment plants, waste
treatment plants, landfills, cellular towers, and electric and gas-related facilities.

• "Cost-Burdened"

Monthly housing costs (including utilities) exceeding 30% of monthly income.

"Dimensional Requirements"

 Zoning requirements that do not govern the use of land, but rather aspects of the lot including but not limited to setbacks, minimum lot sizes, building height, and parking requirements.

"Disparate impacts"

 Housing practices that have a discriminatory effect, even if there has been no intent to discriminate.

"DTI Ratio"

 An acronym that stands for "debt-to-income" ratio and refers to a borrower's monthly debt payments vs their gross monthly income. Housing lenders typically require a DTI ratio of 28% or less.

"Dwelling units/housing units"

A unit that is lived in or otherwise available or intended for living quarters.

"Equalization Rate"

 The percent of full market value at which a local tax assessor assesses a property.

• "Equalize"

 The process of dividing the reported total assessed value by the equalization rate to adjust to market value.

(Example):

Reported total assessed value = \$80,000 Equalization rate = 85%

Market value = (80,000/0.85) = \$94,118

"Exclusionary zoning"

 A residential zoning plan whose requirements (as minimum lot size and house size) have the effect of excluding low-income residents.

• "Fair Housing"

 A principle by which everyone should have equal access to housing regardless of their protected characteristics.

"Form-Based Zoning Code (FBC)"

 A type of zoning code that focuses on the physical form of buildings and how they will fit in with the neighborhood character rather than assigning permitted uses to zoning districts.

• "Group Dwellings/Group Housing"

 A type of housing designed for a group of people living under the same roof or in a shared living arrangement, often with a shared authority or structure such as a dormitory or assisted living facility.

"High-density Housing"

 Housing that contains residents within a close proximity to one another such as apartment building or dormitories.

"Housing Stock"

 The quantifiable amount of occupied and unoccupied livable housing units in a specified area.

"Industrial use"

 A land use that is primarily industrial in nature. This includes but is not limited to: mines/quarries, pipelines, manufacturing plants, wells, factories, data centers, power plants, and construction sites.

"Infill Development"

 Construction that occurs on a pre-existing paved lot that is not otherwise being used.

• "Land Use"

 (Noun). The primary function of a parcel of land. These are broken up into nine categories: agricultural, residential, vacant, commercial, recreation and entertainment, community services, industrial, public services, and wild, forested conservation lands and public parks.

"Legacy zoning"

 Zoning regulations that preserve land use development that occurred prior to their adoption.

"Market Value"

 The price for an asset on the marketplace based on prices buyers are willing to pay and sellers are willing to accept.

"Master Plan/Comprehensive Development Plan"

 An analysis of an entire municipality that details land use, population, housing, traffic and transportation, community facilities, regional factors, economy, and other aspects of the community as they are at the time of the assessment and how they may be in the future based on an implementation plan.

"Median total assessed value (MTAv)"

The median value of the estimated worth of a group of properties; this calculation takes an entire property, including the land value and the value of any buildings on the property, into consideration. Assessed value is determined at the local level by the municipal Assessor. In this analysis, MTAv is calculated for all residential parcels within a residential zone.

• "Missing middle housing"

 Housing that is similar in scale to single-family housing. This includes but is not limited to duplexes, triplexes, fourplexes, and townhouses.

"Multi-family Housing"

 A building, complex, or structure that contains multiple separate housing units, each designed for individual families such as apartment buildings.

"Municipality/Municipal"

A town, village, or city with specified boundaries and a local government;
 referring to a town, village, or city and/or its local government.

"Neighborhood Analysis"

 A section of a local master plan/comprehensive development plan that divides the community into "neighborhoods/analysis areas/planning districts" based on population and other factors and assesses housing conditions and other related factors.

"New York State Home Rule Law"

 Legislation allowing recognized municipalities (towns, villages, cities) to govern themselves by passing local laws related to property or government. This law outlines the procedures for passing such local laws and gives municipalities autonomy.

• "Non-conforming Use"

 A land use which was lawful before a zoning ordinance or amendment was enacted, but which is now prohibited or restricted by the new regulations. These are typically referred to as "grandfathered" uses.

• "One-unit housing unit/Single-unit housing unit (attached or detached)"

- o A structure that contains only one dwelling unit.
 - Attached: Single-family units that share walls with other single-family units such as townhouses or duplexes.
 - <u>Detached:</u> Single-family units that stand alone, with open space on all sides.

"Parcel"

 A piece of property with a tax identification number, owner of record, and address.

"Payment in Lieu of Taxes (PILOT)"

 A mutual financial agreement between a taxing jurisdiction and a property owner (one who is typically tax-exempt) to make up for potential lost tax revenue.

"Plaintiff"

A person who brings a case against another in a court of law.

• "Planned Development District (PDD)/Planned Unit Development (PUD)"

 A method of zoning by which an applicant can develop any use permitted in any zoning district in exchange for the reviewing board taking a more direct and involved role in the review process.

"Planning Board"

 A local governing body appointed by the Municipal Board that is responsible for advising and reviewing land use projects. These projects typically include site plan review, special use permit, and subdivision review.

"Population Center"

 A village or city with a high population/population density compared to surrounding areas. Population centers in St. Lawrence County include the Villages of Canton, Gouverneur, Massena, Potsdam, and the City of Ogdensburg.

"Population for whom poverty status is determined"

Classes of people for whom the US Census Bureau computes poverty status.
 Poverty status can **not** be determined for people in institutional group quarters (such as prisons or nursing homes), college dormitories, military barracks, and living situations without conventional housing (and who are not in shelters).

"Protected classes"

 A group of people who share a common characteristic and are legally protected from discrimination based on that characteristic.

"Proxy"

A substitution or stand-in.

"Residential parcel"

 A parcel with a Real Property tax classification code in the 200s (residential) or 411 (apartments).

"Residential use"

 A land use that is primarily residential in nature. This includes but is not limited to: one-, two-, or multi-family housing, accessory dwelling units, townhouses, residential/community care facilities, dormitories, fraternity/sorority buildings, and apartments.

"Residential zone/district"

 A zoning district with a goal of residential development. This can be characterized by its permitted uses, the stated goal of the zone, and the general makeup of the area.

• Residential Zone Tiers

"First-Tier Residential Zone"

 A residential zoning district with a primary composition of single-family housing. These zones typically prioritize this kind of development.

o "Second-Tier Residential Zone"

 A residential zoning district with a mixed composition of single- and twofamily housing. These zones typically prioritize this kind of development.

o "Third-Tier Residential Zone"

 A residential zoning district with a mixed composition of single-, two-, and multi-family housing. These zones typically prioritize this kind of development

"Fourth-Tier Residential Zone"

A residential zoning district composed of either group housing, mobile homes, or mixed-use development. These zones typically prioritize this kind of development.

"Site plan review/Special use permit"

 Methods of land use review conducted by local municipal boards or planning boards that give a municipality greater regulatory power over a land use project. Each review involves ensuring a project is developed within the bounds of the local land use regulations. Special use permit review is typically more restrictive than site plan review due to the additional considerations a board has the authority to regulate.

"Substandard housing"

Housing that is degraded to some degree based on a cursory visual assessment.

"Temporary Housing"

 Housing that is not meant to be lived in year-round, typically for those attending a college or university.

"Traditional Zoning Code/Euclidean Zoning Code"

 A zoning code that divides a municipality into districts and regulates land use based on what uses are permitted and prohibited within the boundaries of those districts.

"Uses permitted by right"

 A land use that is allowed in a zoning district without the need for review by a municipal board, planning board, or zoning board of appeals.

"Vacancy Rate"

 The proportion of the homeowner inventory which is vacant for sale (US Census Bureau).

"Water-dependent Use"

 An activity that cannot be conducted elsewhere and requires direct access to a water body for its operation such as a port or sewer outfall.

"Zoning Board of Appeals (ZBA)"

 A local governing body appointed by the Municipal Board with the authority to vary zoning provisions by granting use variances, area variances, and interpreting the local zoning code.

"Zoning Code/Laws/Ordinance/Regulations"

 Laws adopted by a municipality that govern the use of land. These laws typically separate a community into zoning districts to prevent incompatible land uses and protect property values.

"Zoning district"

 A geographically defined area in a municipality in which land use and development regulations apply.

*PLEASE NOTE:

Some terms from this assessment are not defined in this glossary. These terms are defined in their local zoning codes or are from Master Plans that lack definitions. This assessment does not aim to define these terms to prevent any misrepresentation.

SOURCES

NOTE: The population center master plans/comprehensive development plans/neighborhood analyses are not available electronically. Anyone who wishes to access these documents can do so at the St. Lawrence County Planning Office. Call (315) 379-2292 for more information.

- <u>Baldwin Real Estate Corporation</u>
- City of Kingston, NY
- City of Ogdensburg Zoning Code (2022)
- Communities of Excellence 2026
- Cornell Law School Legal Information Institute
- Flickr
- Generalcode.com

- Homes.com
- HUD User
- HUD Exchange
- Merriam-Webster Dictionary
- National Low Income Housing Coalition
- New York Planning Federation
- New York State General City Law
- New York State General Town Law
- New York State General Village Law
- New York State Human Rights Law
- New York State Municipal Home Rule Law
- NYS Homes and Community Renewal (HCR)
- Northern Forest Center
- Shutterstock
- St. Lawrence County Fair Housing Task Force
- St. Lawrence County Highway Department
- St. Lawrence County Planning Office
- St. Lawrence County Real Property Office
- The 1958 Town and Village of Massena Master Plan
- The 1964 Village of Potsdam Master Plan Summary
- The 1966 Town and Village of Canton Master Plan
- The 1969 Village of Gouverneur Master Plan, Volume 1
- The 1970 City of Ogdensburg Comprehensive Development Plan
- The 1971 City of Ogdensburg Neighborhood Analysis
- Town of Malta, NY Department of Building and Planning
- U.S Census Bureau
- U.S Department of Housing and Urban Development (HUD)
- U.S. Department of the Interior
- U.S. Fair Housing Act of 1968
- Village of Canton Zoning Code (2022)
- Village of Gouverneur Zoning Code (2019)
- Village of Massena Zoning Code (2023)
- Village of Port Chester, NY
- Village of Potsdam Zoning Code (2021)
- Wall Street Journal
- Wikipedia.org
- Zoning and Segregation in Syracuse CNY Fair Housing

PHOTO GALLERY
(FIGURE 1 - Map of SLC population centers with zoning districts - Full View)



(FIGURE 1a - Map of SLC population centers with zoning districts - Gouverneur Close Up)

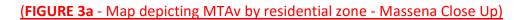


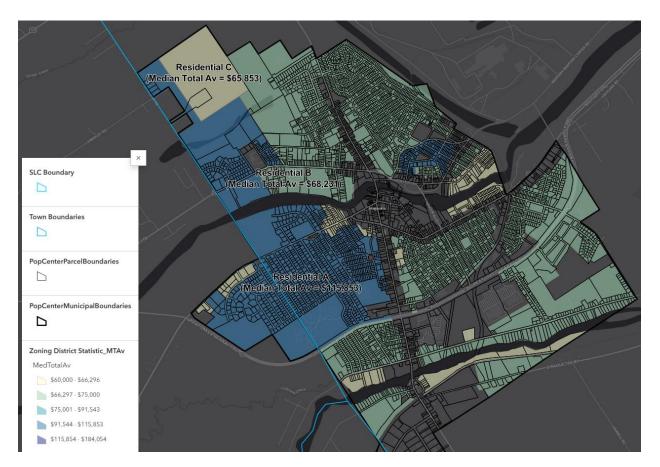
(FIGURE 2 - Equalization Rate Adjustments by Residential Zone Table)

		Canton (V)	Gouverneur (V)	Massena (V)	Ogdensburg (C)	Potsdam (V)
Equalization Rate (%)		74%	81%	82%	100%	74%
% Increase from Reported		35% increase	24% increase	22% increase	No change	35% increase
Total	Reported -	\$118,500	\$63,500	\$62,000	\$70,000	\$94,000
	Equalized -	\$160,135	\$78,395	\$75,609	N/A	\$127,027
1 st Tier	Reported -	\$136,200	\$74,150	\$95,000	\$75,000	\$117,600
Residential Zone	Equalized -	\$184,054	\$91,543	\$115,853	N/A	\$158,918
2 nd Tier	Reported -	\$80,500	\$65,000	\$55,950	\$68,000	\$78,900
Residential Zone	Equalized -	\$108,783	\$80,246	\$68,231	N/A	\$106,621
3 rd Tier	Reported -	\$104,250	\$50,450	\$54,000	\$65,000	\$85,700
Residential Zone	Equalized -	\$140,878	\$62,283	\$65,853	N/A	\$115,810
4 th Tier	Reported -		\$53,700		\$60,000	\$61,500
Residential Zone	Equalized -		\$66,296		N/A	\$83,108









(FIGURE 4 - Image gallery: Analysis for every residential zoning district in SLC population centers - Table Format)

Canton (V)	Residential Single-Family	Residential Multi-Family	Neighborhood Mixed-Use
# of Residential Parcels	501	325	118
% One-Family Residential	97%	76.3%	78%
% Apartments	0.2%	7.1%	6.8%
Median Total Av	\$184,054	\$108,783	\$140,878
Permitted Uses (residential)	Single-family dwellings, Accessory dwelling units,	One- two-family dwellings, Accessory dwelling units	One-, two-family dwellings
Permitted Uses after Site Plan Review (residential)	Townhouses, Home occupation (major), Home occupation (minor), Day care (group or family), Bed and breakfast	Home occupation (major), Conversion into multi-family or group dwellings, Multi-family dwellings, Group dwellings, Townhouses, Day care (group or family), Home occupation (minor), Bed and breakfast	Home occupation (major), Conversion into multi-family or group dwellings, Live/work units, Dwelling unit (above first floor street level only), Day care (group or family), Home occupation (minor), Multi-family dwellings, Bed and breakfast
Permitted Uses after issuance of a Special Use Permit (residential)	Townhouses, Home occupation (major), Bed and breakfast	Home occupation (major)	Home occupation (major)

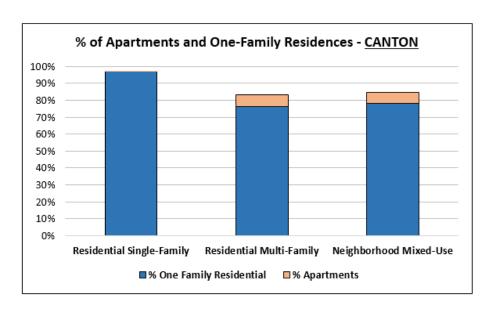
Gouverneur (V)	Residential-One	Residential-Two	Residential-Three	Residential- Business
# of Residential Parcels	212	455	170	32
% One-Family Residential	97.2%	89.5%	77.7%	87.5%
% Apartments	0.5%	1.1%	3.5%	0%
Median Total Av	\$91,543	\$80,246	\$62,283	\$66,296
Permitted Uses (residential)	Single-family dwellings, Accessory structures and uses	One-, two-family dwellings, Modular homes, Manufactured (double wide) homes, Accessory structures and uses	One-, two-family dwellings, Modular homes, Manufactured (double wide) homes, Accessory structures and uses	One-, two-, three-family dwellings
Permitted Uses after Site Plan Review (residential)	Home occupation	Home occupation, Conversion of existing homes larger than 3,000 square feet into three- family use	Group dwellings, Multi-family dwellings, tourist, rooming and boarding houses, nursing homes, conversion to three-family dwelling, Home occupation	Tourist homes, boarding homes, Bed and breakfast
Permitted Uses after issuance of a Special Use Permit (residential)	Home occupation	Home occupation, Conversion of existing homes larger than 3,000 square feet into three- family use	Group dwellings, Multi-family dwellings, Tourist rooming and boarding houses, Nursing homes, Conversion to three-family dwelling, Home occupation	Tourist homes, boarding homes, Bed and breakfast

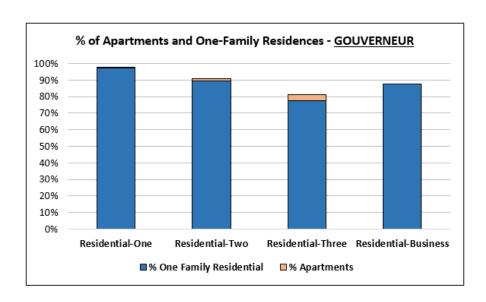
Massena (V)	Residential-A	Residential-B	Residential-C
# of Residential Parcels	917	2,348	168
% One-Family Residential	98.3%	92.2%	76.2%
% Apartments	0.1%	0.8%	11.3%
Median Total Av	\$115,853	\$68,231	\$65,853
Permitted Uses (residential)	One-family dwellings, Accessory dwelling units	One-, two-family dwellings, Accessory dwelling units	One-, two-family dwellings, Accessory dwelling units
Permitted Uses after Site Plan Review (residential)	Home occupation, Roomers (limit of 3 people)	Home occupation, Roomers (limit of 3 people), Daycare center	Multi-family dwellings, Mobile home park, Home occupation, Roomers (limit of 3 people), Daycare center, Rooming house, Bed and breakfast/tourist home
Permitted Uses after issuance of a Special Use Permit (residential)	None	None	None

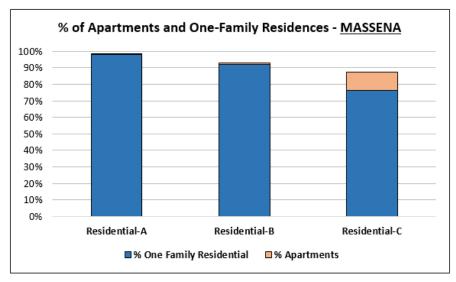
Ogdensburg (C)	Single-Family Residential	Moderate-Density Residential	Residential/Business Mixed Use	Mobile Home
# of Residential Parcels	1,865	1,066	178	54
% One-Family Residential	93%	87.7%	70.8%	85.2%
% Apartments	0.9%	3%	8.4%	0%
Median Total Av	\$75,000	\$68,000	\$65,000	\$60,000
Permitted Uses (residential)	One-family dwellings, Accessory structures	One-,two-family dwellings, Accessory structures/uses	Accessory structures/uses	One-family dwellings, Accessory structures
Permitted Uses after Site Plan Review (residential)	Home occupations, Bed and breakfast	Moderate-density multiple family residential developments, Manufactured homes, Home occupation, Bed and breakfast/inn	Multiple family residential developments, Community residences, Home occupation, Bed and breakfast/inn	Mobile homes, Home occupation
Permitted Uses after issuance of a Special Use Permit (residential)	None	None	None	None

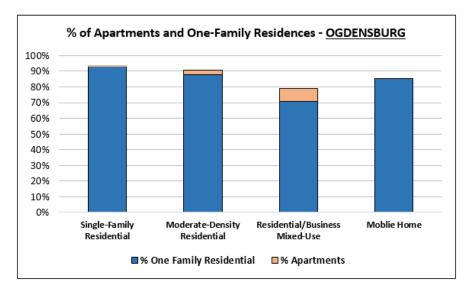
Potsdam (V)	Residential-1	Residential-2	Residential-3	Residential-4
# of Residential Parcels	577	476	33	9
% One-Family Residential	89.3%	72.9%	54.6%	55.6%
% Apartments	2.6%	4%	33%	22.2%
Median Total Av	\$158,918	\$106,621	\$115,810	\$83,108
Permitted Uses (residential)	One-family dwellings, Accessory uses	One-, two-family dwellings, Accessory uses	One-, two-family dwellings, Accessory uses	Accessory uses
Permitted Uses after Site Plan Approval (residential)	Bed and breakfast	Multiple-family dwellings, Home occupation, Bed and breakfast	Garden apartments, Multiple-family dwellings, Mobile Home Park, Home occupation, Bed and breakfast	Garden apartments, Home occupation, Multiple- family dwellings, Bed and breakfast, Group dwelling
Permitted Uses after issuance of a Special Use Permit (residential)	Accessory dwelling units, Home occupation, Tourist homes	Multiple-family dwellings, Home occupation, Bed and breakfast	Multiple-family dwellings, Mobile Home Park, Home occupation, Bed and breakfast	Home occupation, Bed and breakfast

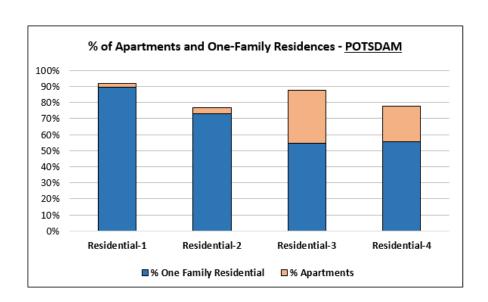
(FIGURE 5 - Image gallery: Percentage of apartments and one-family residences in SLC population centers - Graph Format)



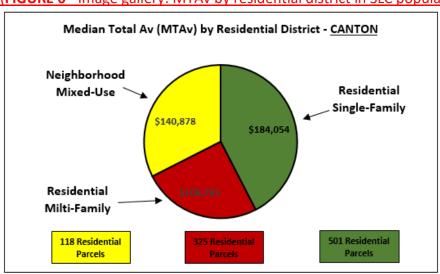


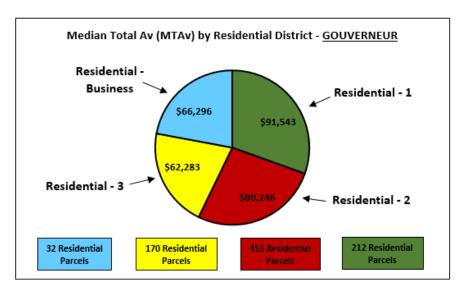


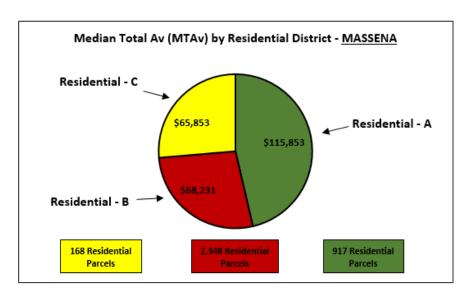


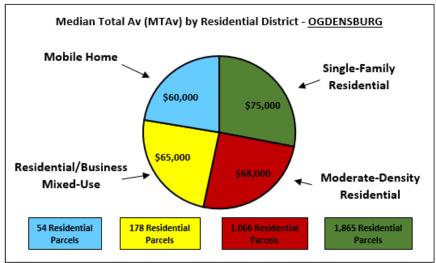


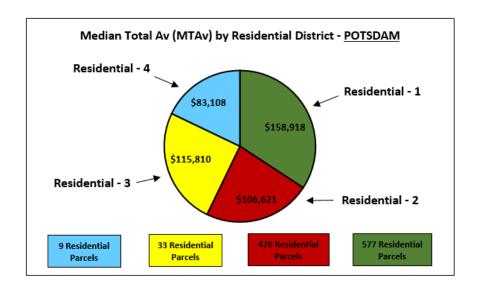
(FIGURE 6 - Image gallery: MTAv by residential district in SLC population centers - Chart Format)



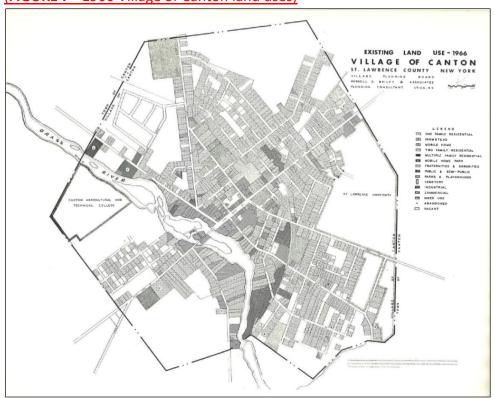




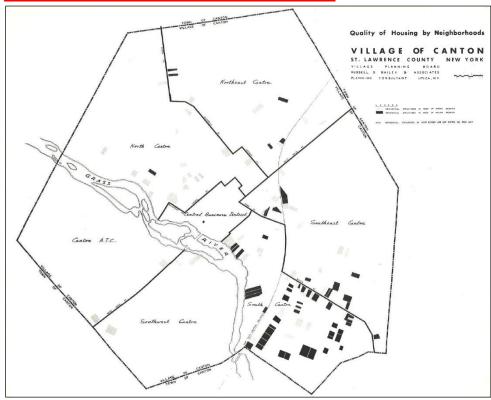




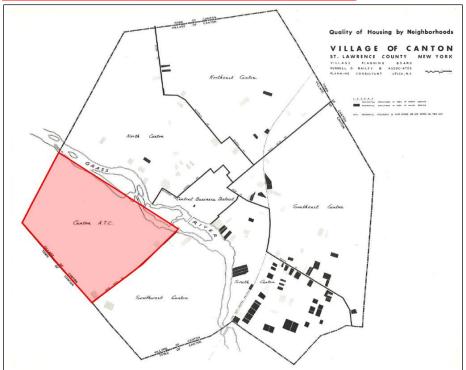
(FIGURE 7 - 1966 Village of Canton land uses)



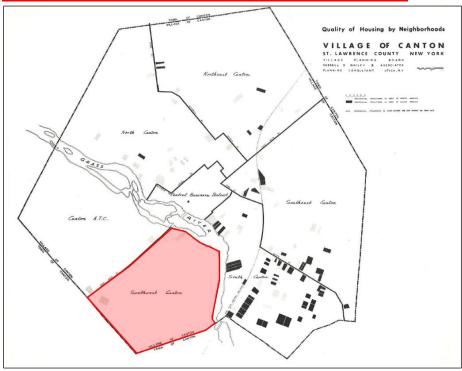
(FIGURE 8 - 1966 Village of Canton neighborhoods)



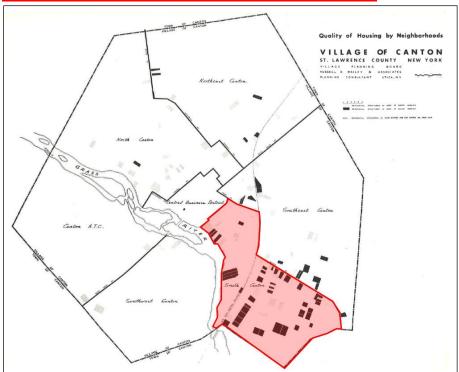
(FIGURE 9 - 1966 Village of Canton ATC neighborhood)



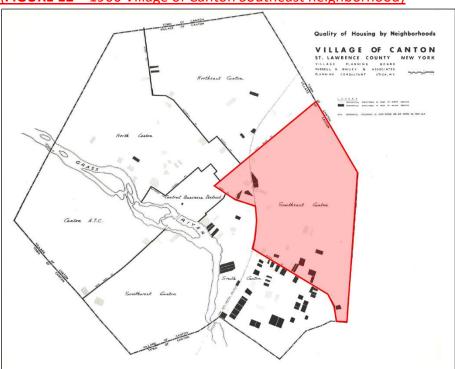
(FIGURE 10 - 1966 Village of Canton Southwest neighborhood)



(FIGURE 11 - 1966 Village of Canton South neighborhood)



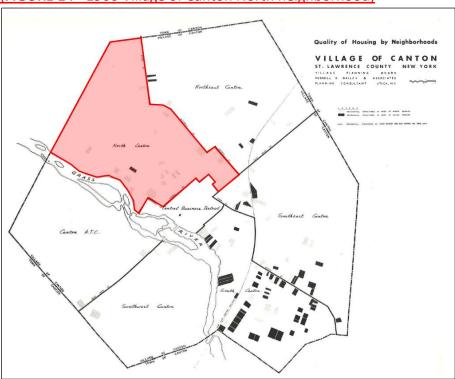
(FIGURE 12 – 1966 Village of Canton Southeast neighborhood)



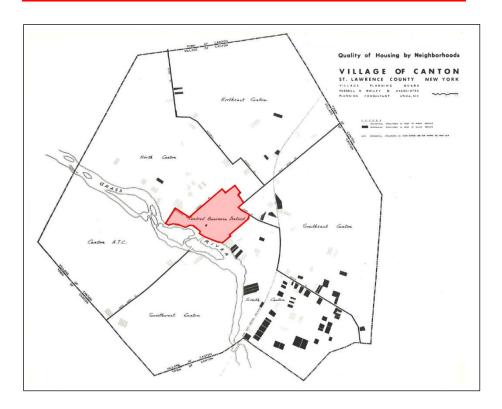
(FIGURE 13 - 1966 Village of Canton Northeast neighborhood)



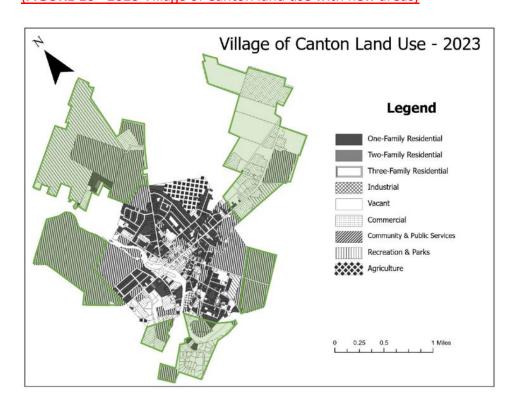
(FIGURE 14 - 1966 Village of Canton North neighborhood)



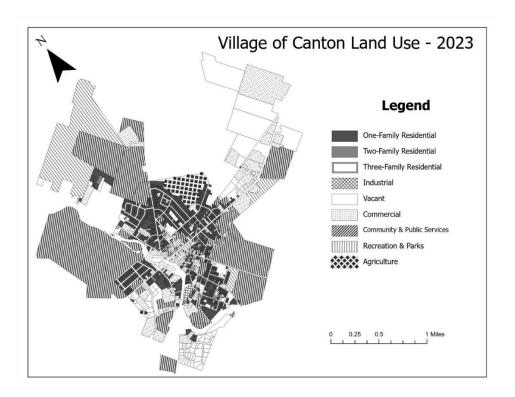
(FIGURE 15 - 1966 Village of Canton Central Business neighborhood)



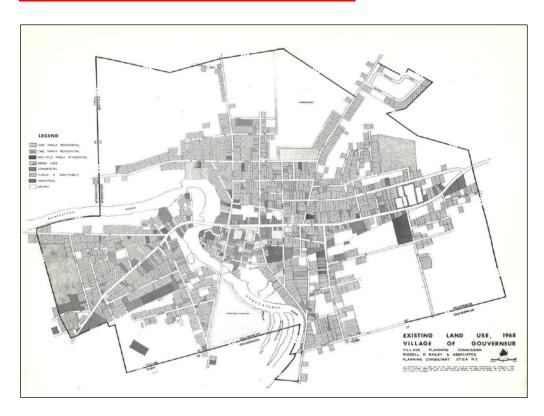
(FIGURE 16 - 2023 Village of Canton land use with new areas)



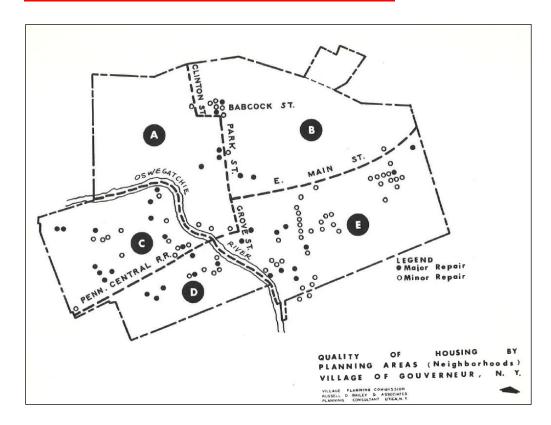
(FIGURE 17 - 2023 Village of Canton land use)



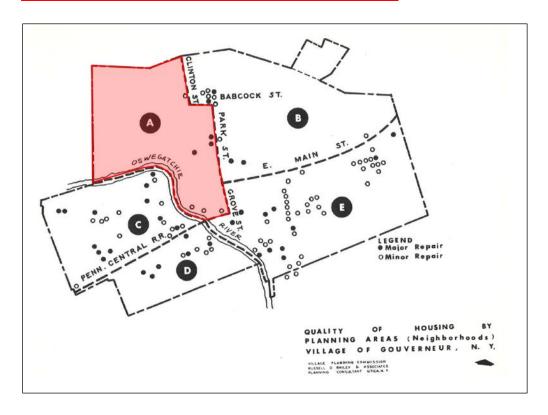
(FIGURE 18 – 1969 Village of Gouverneur land uses)



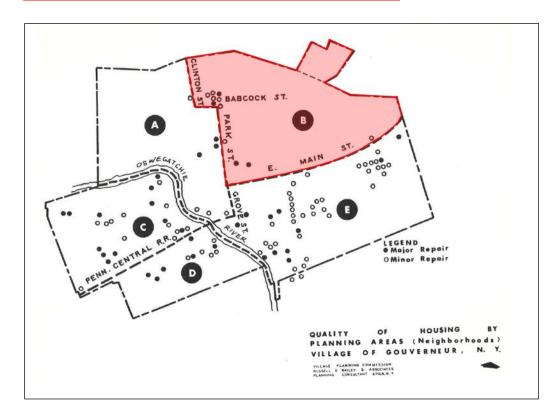
(FIGURE 19 - 1969 Village of Gouverneur neighborhoods)



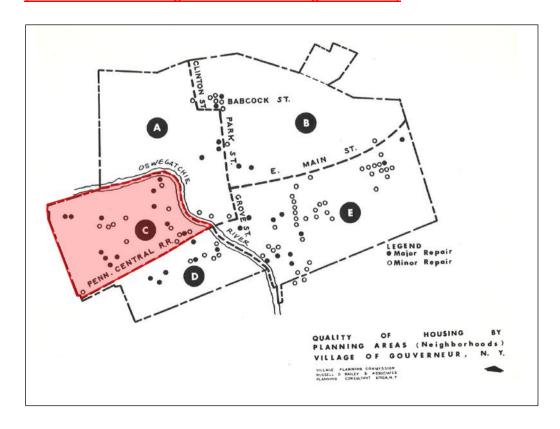
(FIGURE 20 - 1969 Village of Gouverneur neighborhood A)



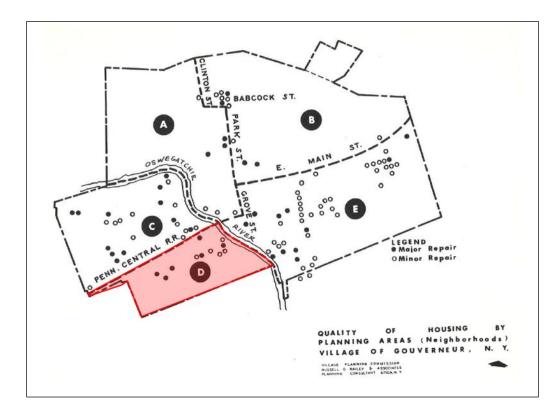
(FIGURE 21 - 1969 Village of Gouverneur neighborhood B)



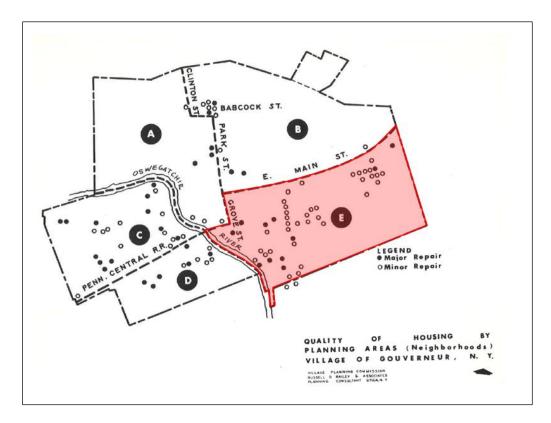
(FIGURE 22 - 1969 Village of Gouverneur neighborhood C)



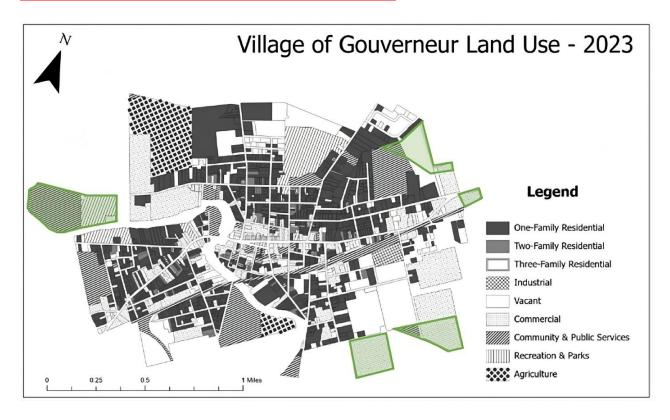
(FIGURE 23 - 1969 Village of Gouverneur neighborhood D)



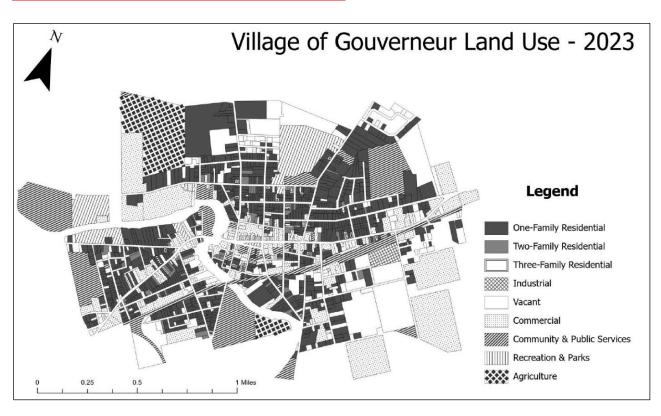
(FIGURE 24 - 1969 Village of Gouverneur neighborhood E)



(FIGURE 25 - Village of Gouverneur new areas since 1969)



(FIGURE 26 - 2023 Village of Gouverneur land uses)



(FIGURE 27 - Table IV, Housing Characteristics of Sampled Deficient Housing in all Survey Sections, Village of Massena)

TABLE IV

HOUSING CHARACTERISTICS OF SAMPLED DEFICIENT HOUSING IN ALL SURVEY SECTIONS

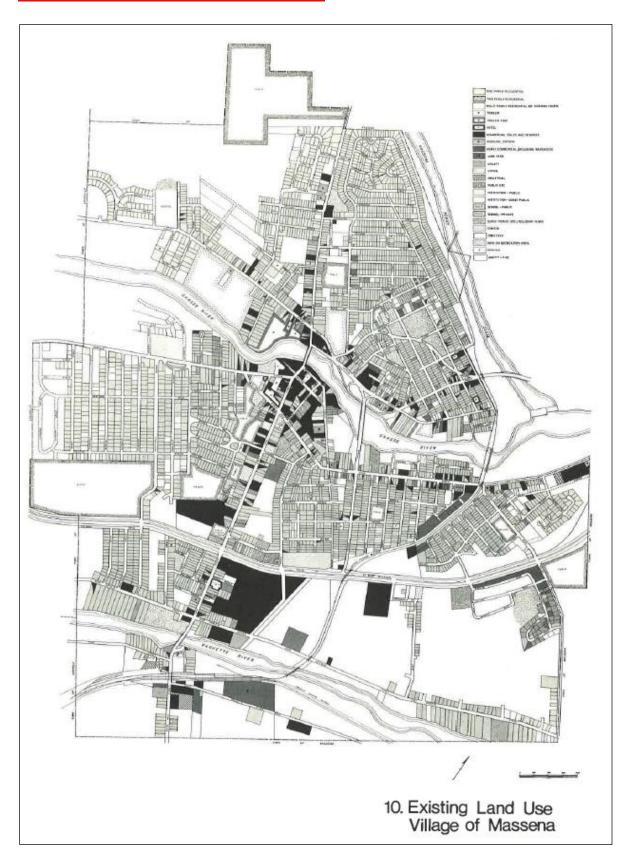
Village of Massena, 1970

		Condition of Units			
	Total	Standard	Marginal	Poor	Very Poor
Mean Household Size	3.2	30	3.2	3.9	2.5
Median Household Income	\$5,400	\$6,000	\$4,200	\$4,000	\$2,700
Sources of Income: % of Social Security % Welfare	26.4 [1.5	36.9 6.5	8.0 20.0	21.4	
Length of Residence					
Over 5 years: % of Owners % of Tenants	81.8 25.6	87.9 15.4	75.0 35.3	0.0 16.2	
% Households with					
Heads over 64 years	16.1	21.7	-12.0	7.1	0.0
Over 25% of Income for gross housing cost*	25,2	23.9	20.0	28.6	100.0
Tenure:					
% of owners % of tenants	50.6 49.4	71.7 28.3	32.0 68.0	14.3 85.7	

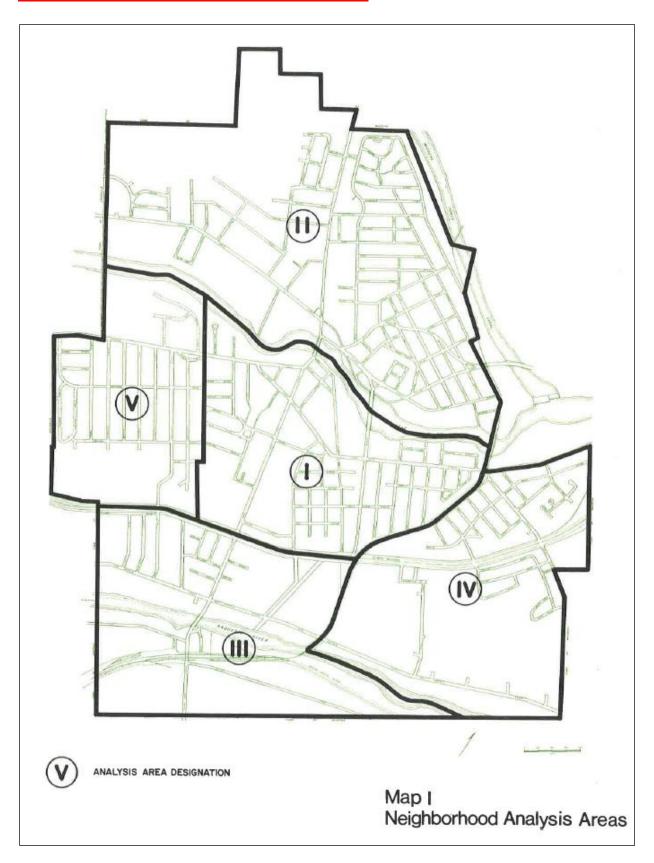
^{*}Gross housing cost, as used here, is rent plus utilities (in the case of tenants) or mortgage payments plus utilities (in the case of owners).

Source: Raymond, Parish & Pine, Inc., Surveys, May, 1970.

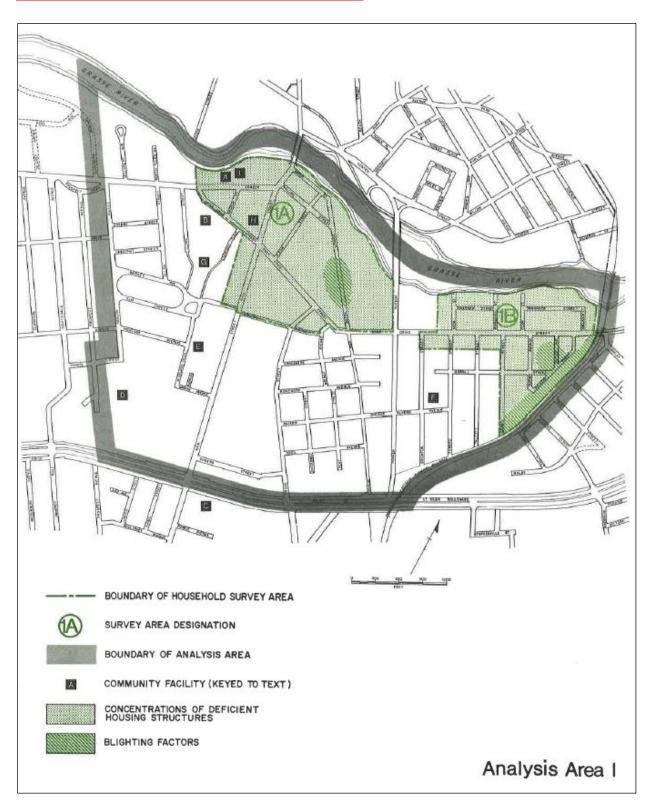
(FIGURE 28 - 1971 Village of Massena land use)



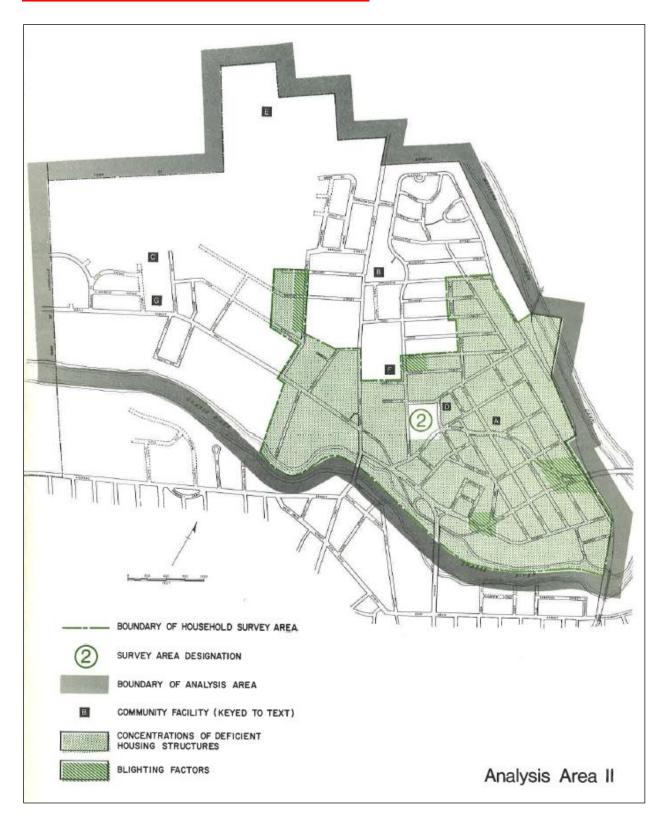
(FIGURE 29 - 1971 Village of Massena neighborhoods)



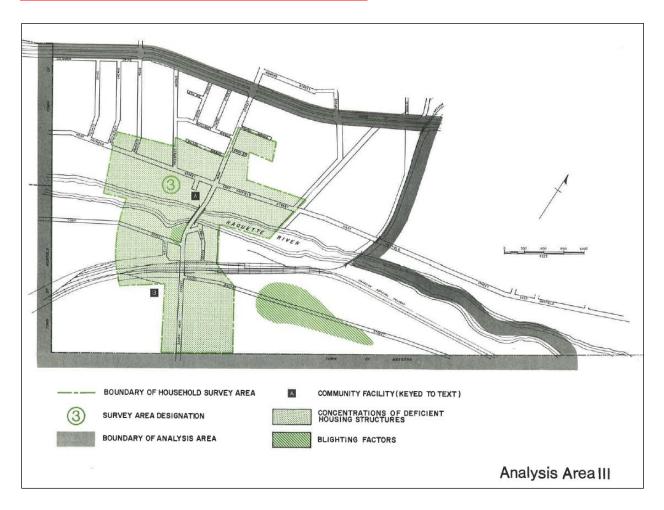
(FIGURE 30 - 1971 Village of Massena analysis area 1)



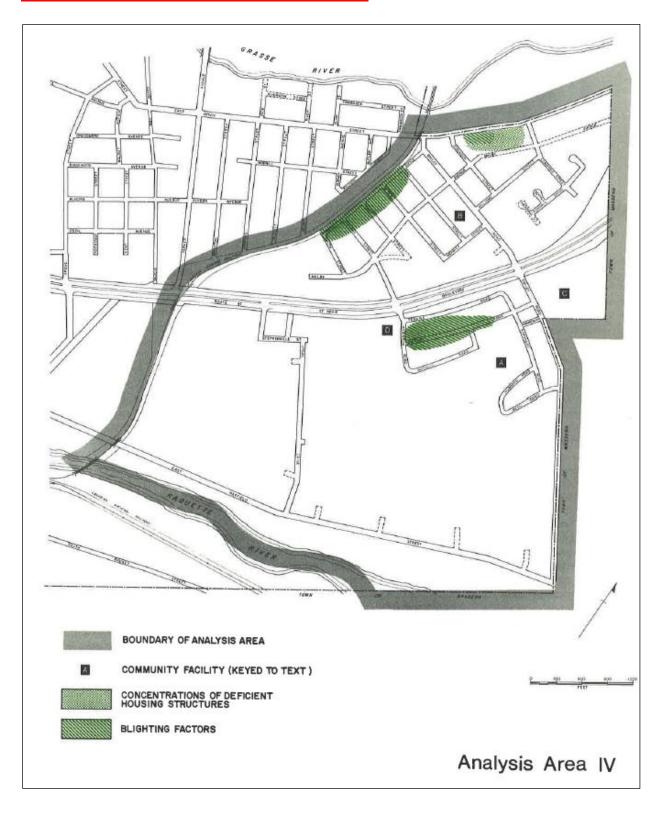
(FIGURE 31 - 1971 Village of Massena analysis area 2)



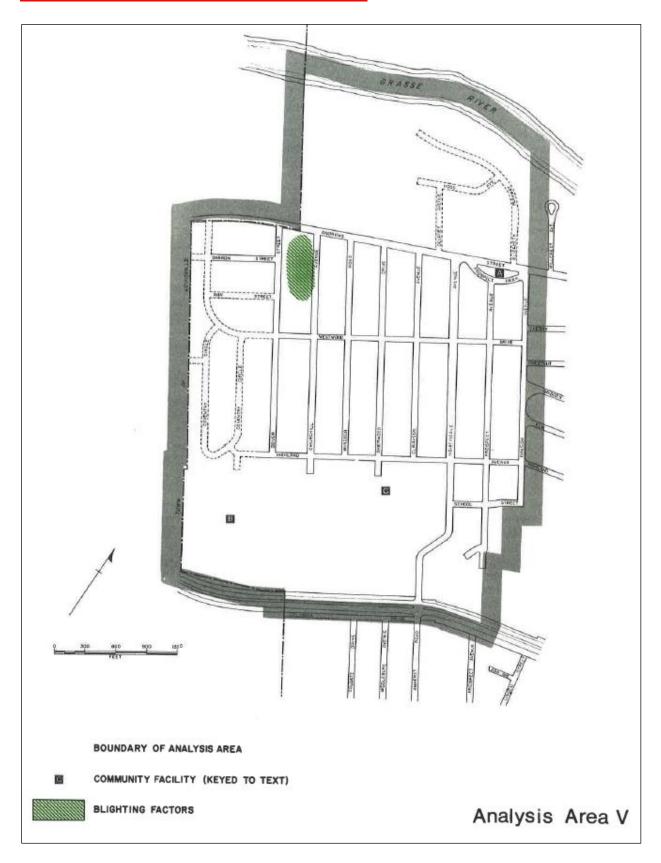
(FIGURE 32 - 1971 Village of Massena analysis area 3)



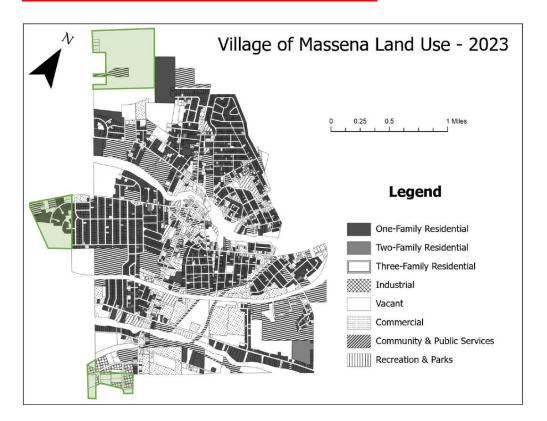
(FIGURE 33 - 1971 Village of Massena analysis area 4)



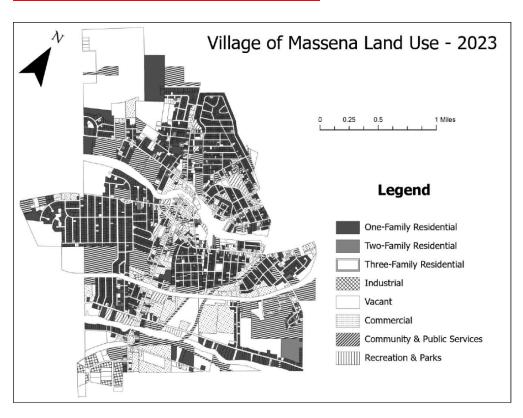
(FIGURE 34 - 1971 Village of Massena analysis area 5)



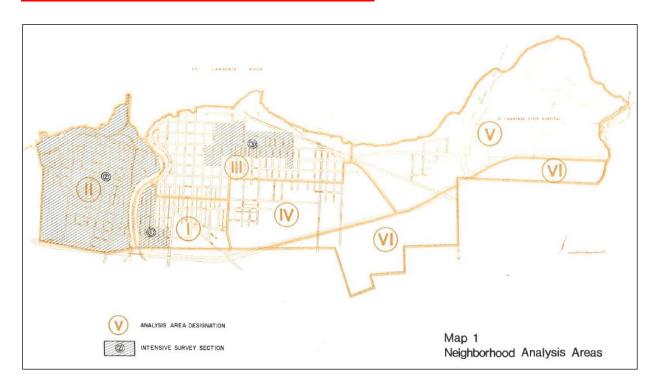
(FIGURE 35 - Village of Massena new areas since 1971)



(FIGURE 36 - 2023 Village of Massena land use)



(FIGURE 37 - 1971 City of Ogdensburg neighborhoods)



(FIGURE 38 – Table IV: Household Characteristics of Sampled Deficient Housing in all Survey Sections, City of Ogdensburg)

TABLE IV

HOUSEHOLD CHARACTERISTICS OF SAMPLED DEFICIENT HOUSING IN A LL SURVEY SECTIONS

City of Ogdensburg, 1970

		Con	Condition of Units			
	Total	Marginal	Poor	Very Poor		
Households: Number	133	55	56	22		
Owner-Occupied						
Household						
Number	88	40	37	11		
%	66.2	72.7	66.1	50.0		
Household Receiving						
Social Security						
Number	62	25	29	8		
%	46.6	45.5	51.8	36.4		
Household Receiving						
Welfare			_			
Number	31	13	11	7		
%	23.3	23.6	19.6	7 31.8		
Household with Heads						
Over 64 Years						
Number %	29 21.8	11 20.8	15	3		
70	21.0	20.8	26.8	13.6		
Household Paying Over						
25% of Income for						
Gross Housing Cost*						
Number	46	21	14	11		
%	34.6	38.2	25.0	50.0		
Mean Household Size	5.8	4.4	5.7	9.0		
Mean Household Income	\$4,803	\$5,097	\$4,795	\$4,090		
*Gross housing	cost as used	here is rent nlu	e utilities /	n the once of to		

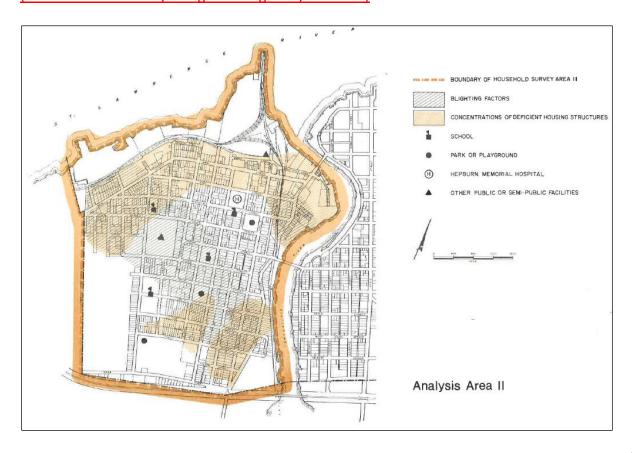
^{*}Gross housing cost, as used here, is rent plus utilities (in the case of tenants) or mortgage payments plus utilities (in the case of owners).

Source: Raymond, Parish & Pine, Inc., Surveys, April 1970.

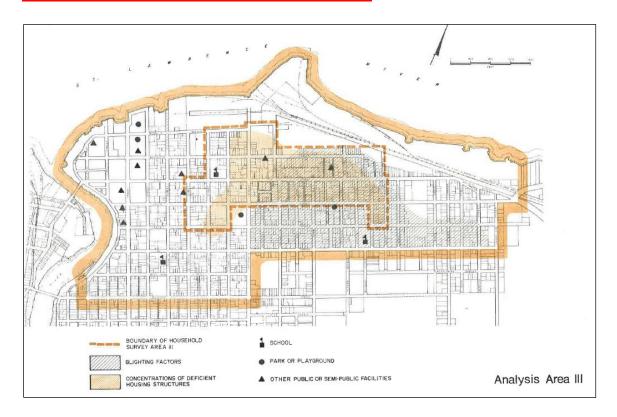
(FIGURE 39 - 1971 City of Ogdensburg analysis area 1)



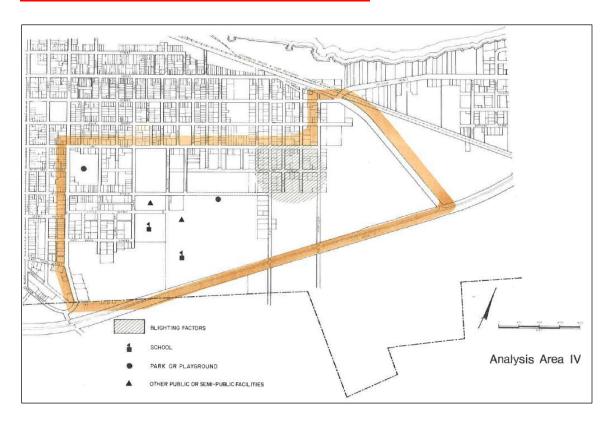
(FIGURE 40 - 1971 City of Ogdensburg analysis area 2)



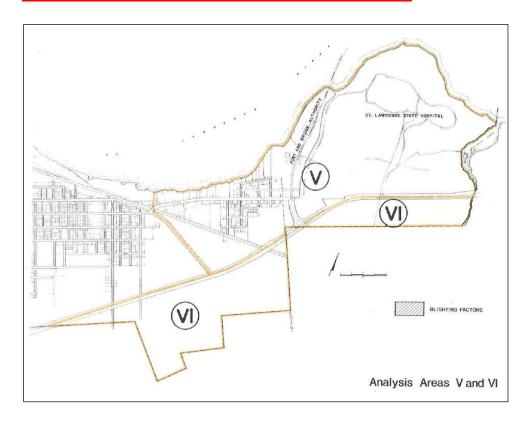
(FIGURE 41 - 1971 City of Ogdensburg analysis area 3)



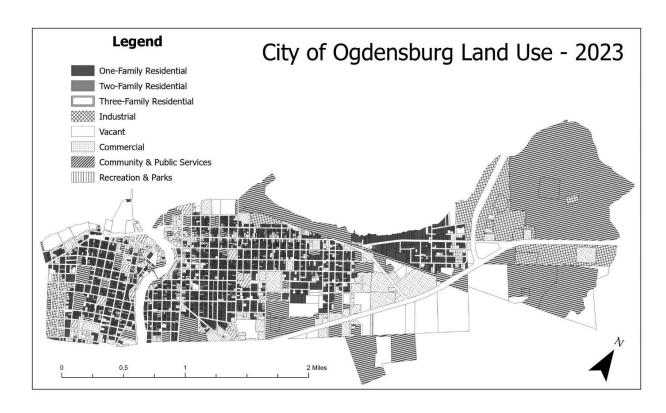
(FIGURE 42 - 1971 City of Ogdensburg analysis area 4)



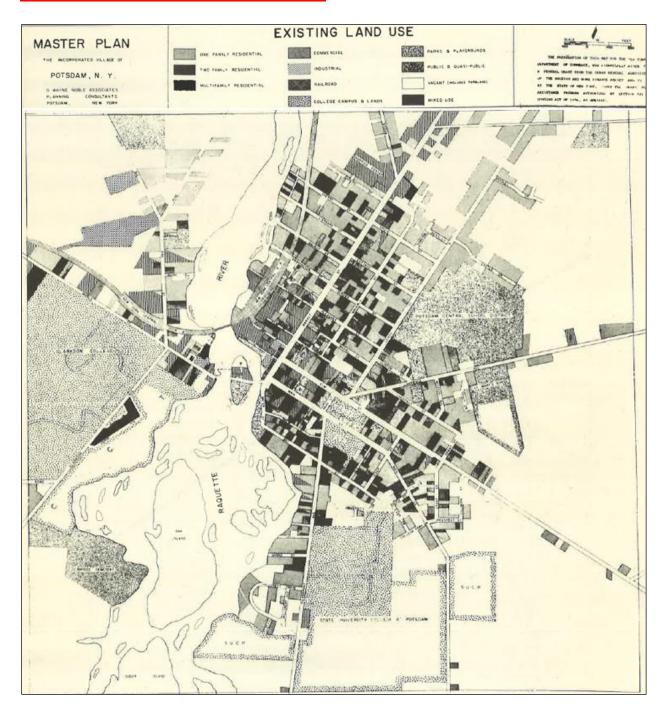
(FIGURE 43 - 1971 City of Ogdensburg analysis area 5 and 6)



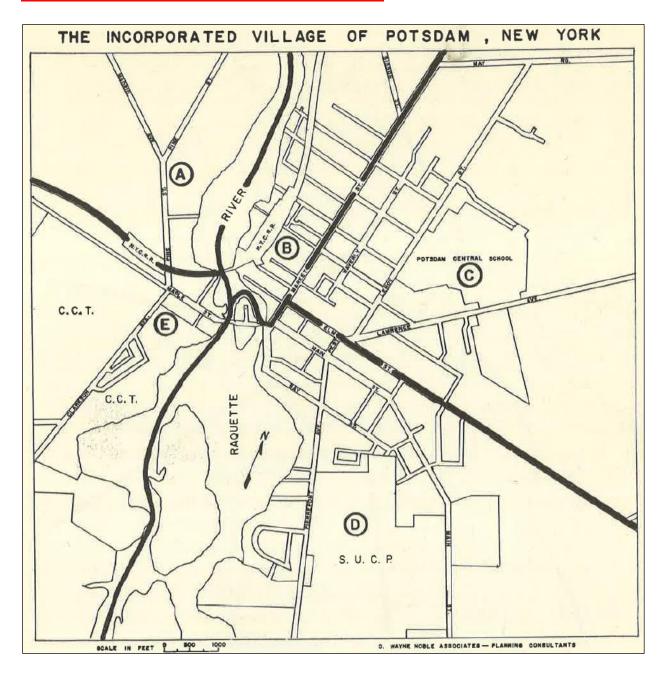
(FIGURE 44 - 2023 City of Ogdensburg Land Use)



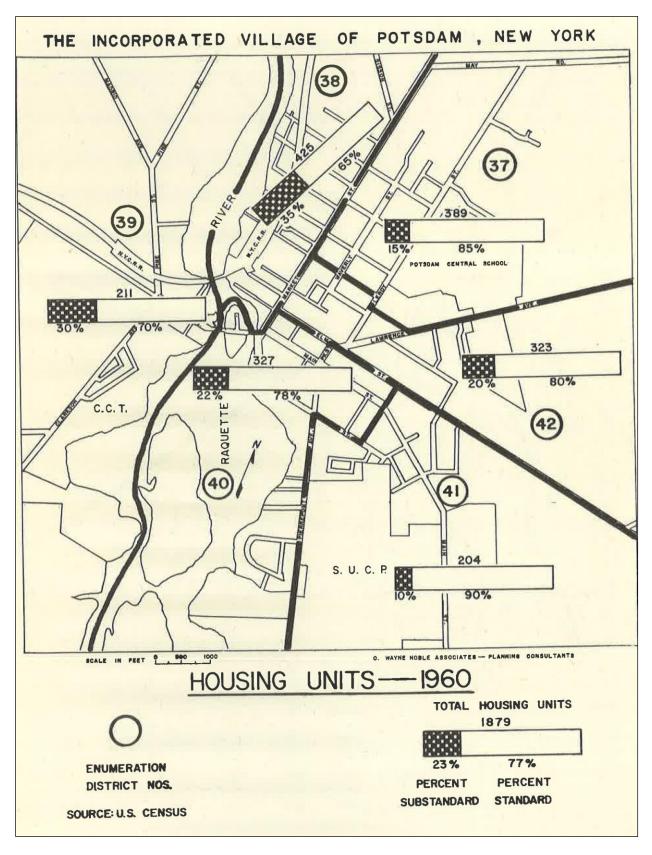
(FIGURE 45 - 1964 Village of Potsdam land use)



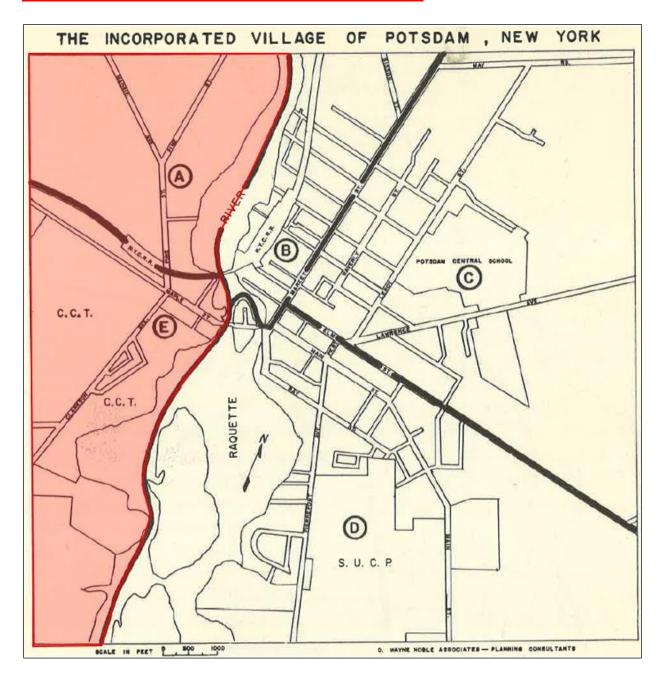
(FIGURE 46 - 1964 Village of Potsdam planning districts)



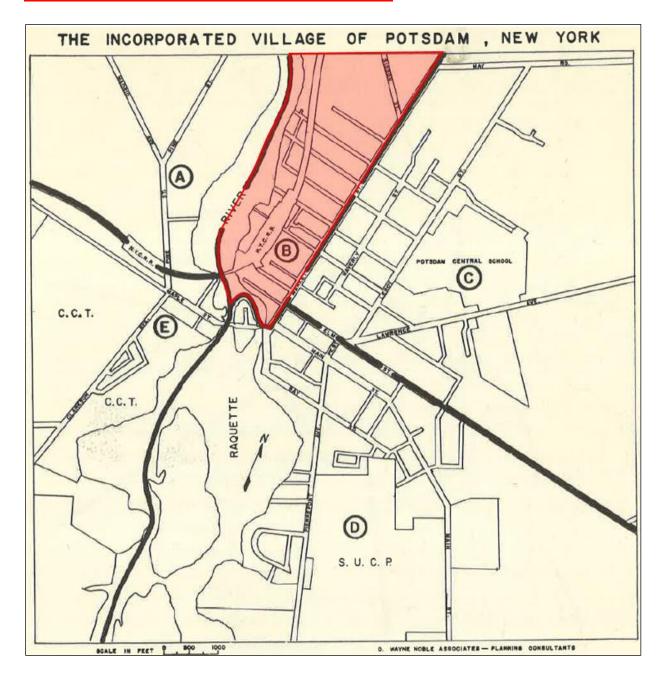
(FIGURE 47 - 1964 Village of Potsdam housing unit assessment)



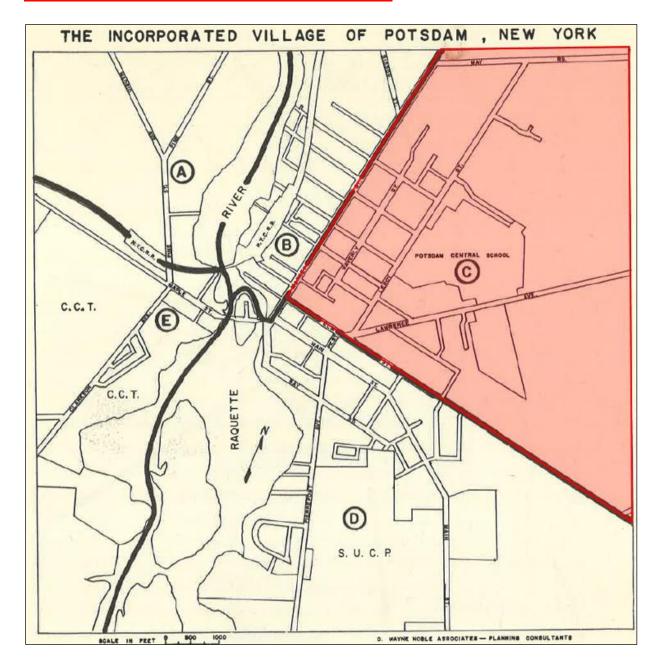
(FIGURE 48 - 1964 Village of Potsdam planning districts A & E)



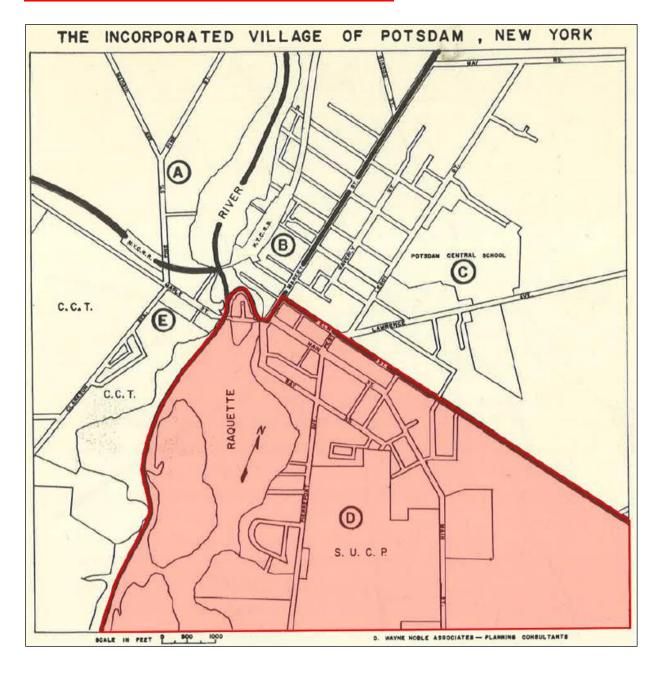
(FIGURE 49 - 1964 Village of Potsdam planning district B)



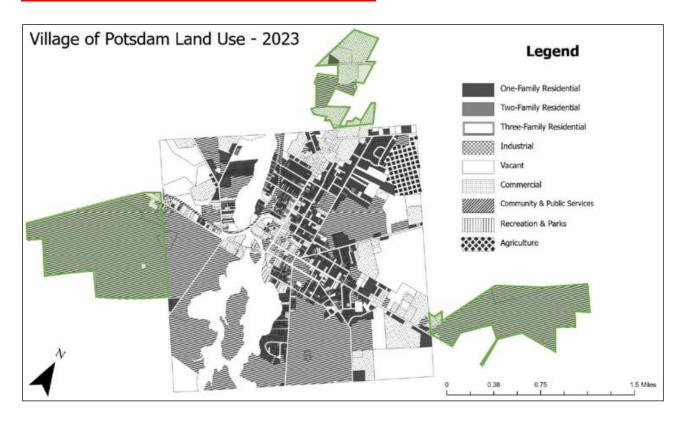
(FIGURE 50 - 1964 Village of Potsdam planning district C)



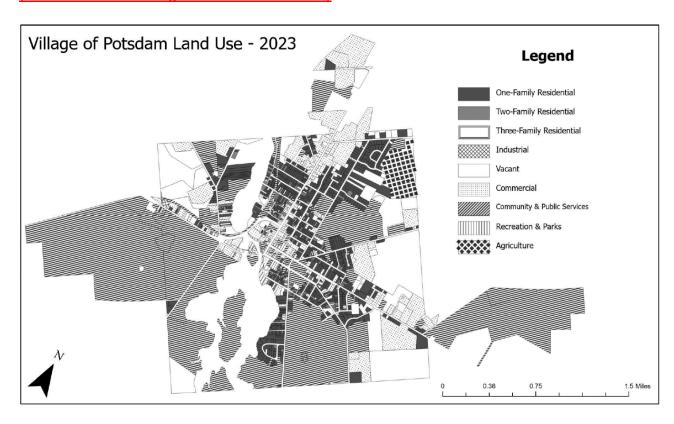
(FIGURE 51 - 1964 Village of Potsdam planning district D)



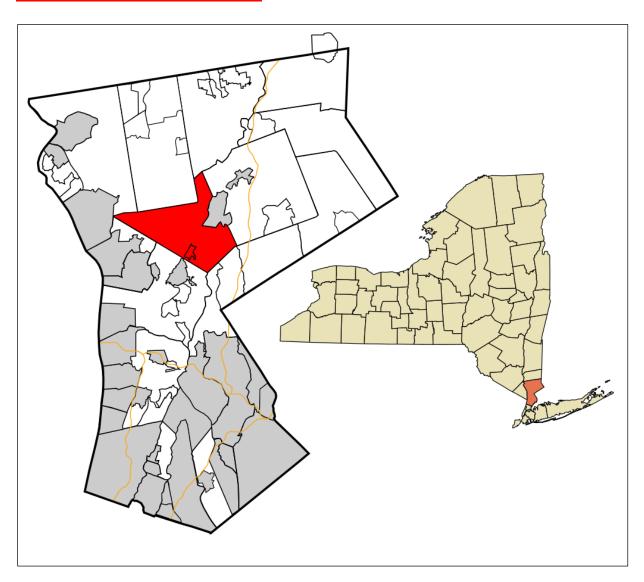
(FIGURE 52 - Village of Potsdam new areas since 1964)



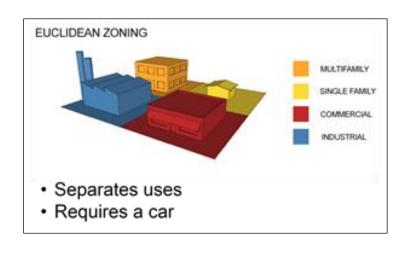
(FIGURE 53 - 2023 Village of Potsdam land uses)



(FIGURE 54 - Town of New Castle, NY)



(FIGURE 55 - Euclidean zoning. Otherwise known as "Traditional" zoning)



(FIGURE 56 - Town of Malta, NY FBC building types)



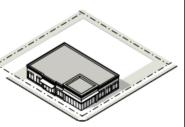
A. Mixed Use Shopfront

A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses. Ground floor residential uses are prohibited.



B. Traditional Shopfront

A building type that typically accommodates ground floor retail, office or commercial uses with upper-story residential or office uses at a scale that complements the historic character along Dunning Street. Ground floor residential uses are prohibited.



C. Single-Story Shopfront

A single-story building type that typically accommodates retail or commercial uses. Residential uses are prohibited.



D. General Building

A building type that typically accommodates commercial or office uses. Retail and residential uses are prohibited.



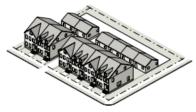
E. Civic Building

A building type that accommodates public or civic uses. Commercial, retail, office and residential uses are prohibited.



F. Apartment

A building type that accommodates 3 or more dwelling units vertically and horizontally integrated. Nonresidential uses are prohibited.



G. Townhouse

A building type that accommodates 2 or more dwelling units where each unit is separated vertically by a common side wall. Units cannot be vertically mixed. Nonresidential uses are prohibited.

[Amended 6-03-2019 by LL. No. 3-2019]



H. Cottage Court

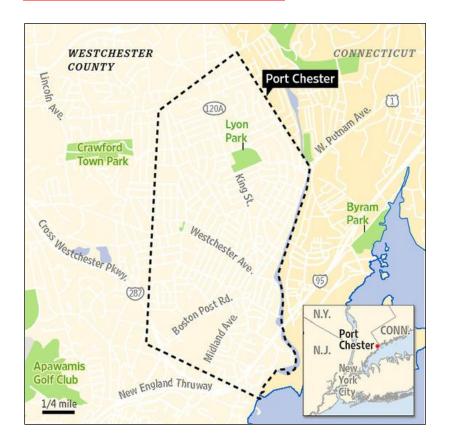
5 to 9 detached houses organized around an internal shared courtyard. Nonresidential uses are prohibited.



I. Detached House

A building type that accommodates one dwelling unit on an individual lot with yards on all sides. Nonresidential uses are prohibited.

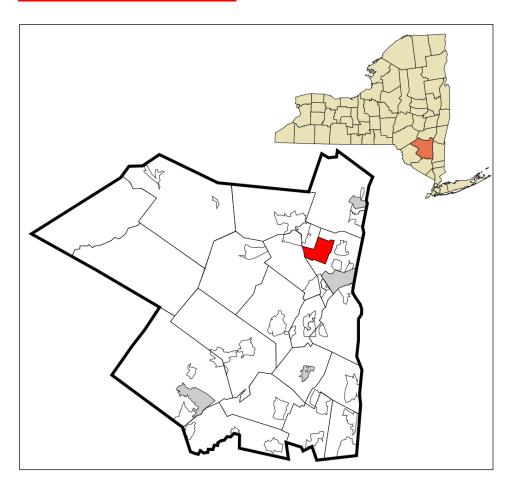
(FIGURE 57 - Village of Port Chester, NY)



(FIGURE 58 - Town of Malta, NY)



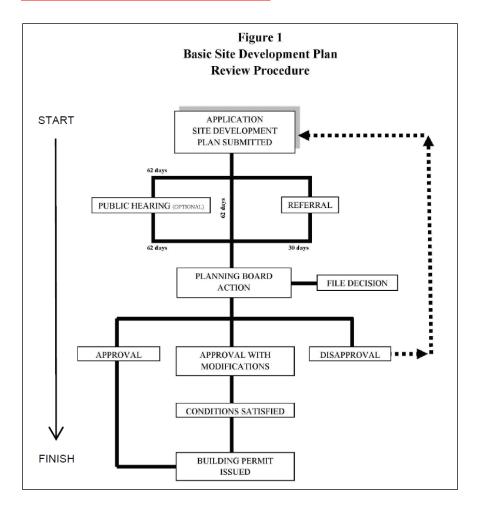
(FIGURE 59 - City of Kingston, NY)



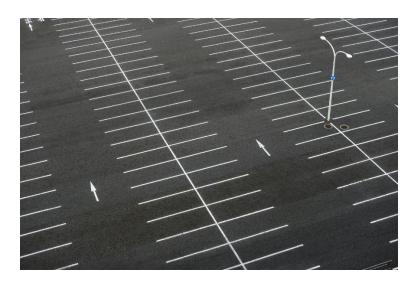
(FIGURE 60 - Single-family neighborhood. Low-density development creates exclusion by income and housing type)



(FIGURE 61 - Local planning review flowchart. These processes may take up to a couple of months due to timeline requirements)



(FIGURE 62 – Large, empty parking lot. Lots like this exist everywhere, and may only be full a few times a year)



(FIGURE 63 - Canton: Both corners of State Route 310 and US Route 11)



(FIGURE 64 - Canton: Miner St., "Midtown Plaza")



(FIGURE 65 - Gouverneur: US Route 11)



(FIGURE 66 - Massena: Walmart & Home Depot, off State Route 37)



(FIGURE 67 - Ogdensburg: Corner of Ford St. and State Route 37)



(FIGURE 68 - Ogdensburg: Patterson St.)



(FIGURE 69 - Ogdensburg: Walmart, corner of Ford St. and State Route 37)



(FIGURE 70 - Potsdam: Corner of Market St. and May Rd.)



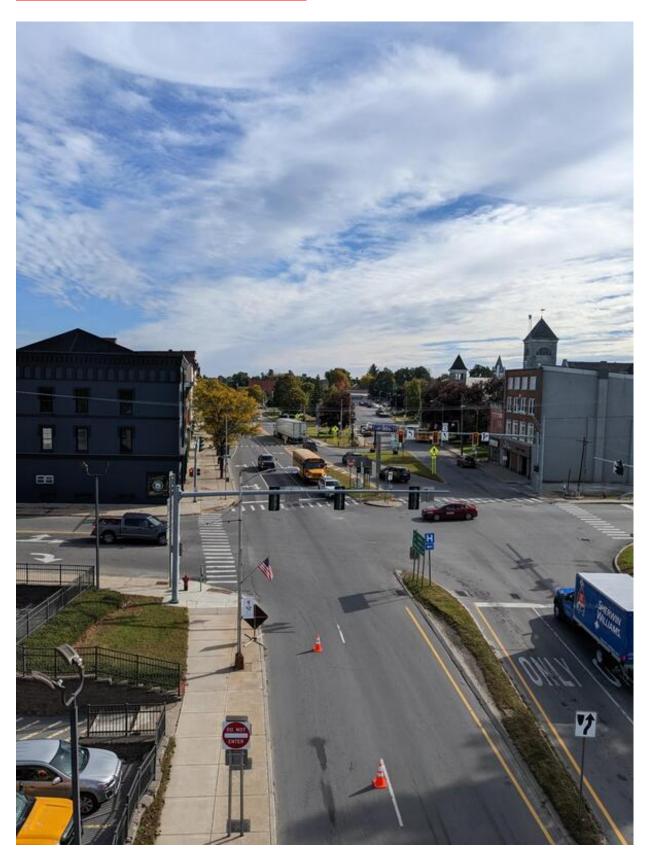
(FIGURE 71 - Criteria Table)

✓= does <u>not</u> meet criteria	Canton	Gouverneur	Massena	Ogdensburg	Potsdam
x= meets criteria					
Permits ADUs in the single-family residential district	√	√	√	\checkmark	√
Permits multi-family housing in all residential zones	×	×	×	×	×
Special Use Permit required for multifamily housing	√	×		✓	×
4. Zone with the highest MTAv does <u>not</u> permit multi-family housing, & zone with lowest MTAv <u>does</u> permit multi-family housing	×	×	×	√	×
5. Readily apparent correlation between Master Plan and present-day MTAv by residential district	×	×	×	√	×
Exclusionary Zoning?	YES	YES	YES	NO	YES

(FIGURE 72 - Canton overhead imagery)



(FIGURE 73 - Gouverneur overhead imagery)



(FIGURE 74 - Massena overhead imagery)



(FIGURE 75 - Ogdensburg overhead imagery)



(FIGURE 76 - Potsdam overhead imagery)



(FIGURE 77 - NYS HCR logo)



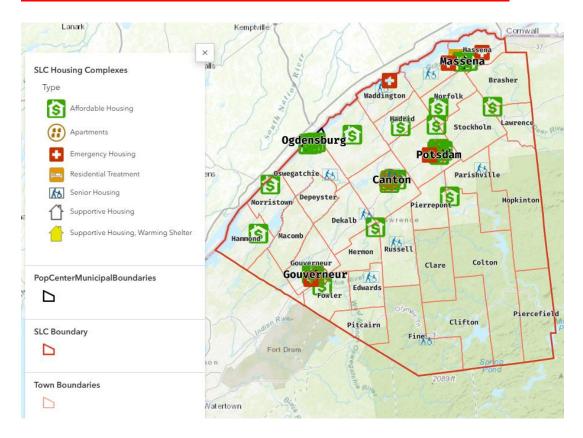
(FIGURE 78 - Map of vacant residential parcels - Full View)



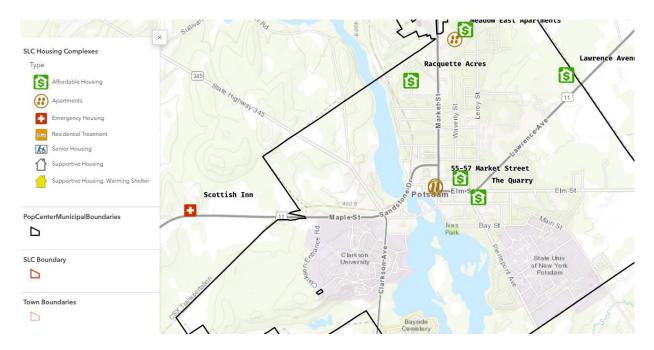
(FIGURE 78a - Map of vacant residential parcels - Ogdensburg Close Up)



(FIGURE 79 - Map of housing complexes in St. Lawrence County - Full View)



(FIGURE 79a - Map of housing complexes in St. Lawrence County - Potsdam Close Up)



(FIGURE 80 - Housing unit statistics in St. Lawrence County population centers)

	Canton	Gouverneur	Massena	Ogdensburg	Potsdam
Total Units	2,318	1,924	5,322	4,412	2,851
Occupied %	95.7%	85.6%	91.5%	92.3%	87.1%
Vacant %	4.3%	14.4%	8.5%	7.7%	12.9%
Owner-	42%	52.7%	58.9%	64.3%	34.5%
Occupied %					
Renter-	58%	47.3%	41.1%	35.7%	65.5%
Occupied %					
Owner Cost-	10%	24%	26.1%	18.7%	12%
Burdened %					
Renter Cost-	37.4%	66%	58.5%	39.2%	73.9%
Burdened %					