

Inter-County Association of Western New York

Representing the Counties of Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Livingston, Monroe, Niagara, Ontario, Orleans, Schuyler, Seneca, Steuben, Tompkins, Wayne, Wyoming, and Yates.

RESOLUTION NO. 2023-08-IC

OPPOSING GOVERNOR HOCHUL'S NEW YORK HOUSING COMPACT PROPOSAL AND STATE GOVERNMENT OVERRIDE OF LOCAL ZONING LAWS

Sponsored By: Cattaraugus County

Moved By: Rick Helmich (Cattaraugus)

Seconded By: Rochelle Stein (Genesee)

WHEREAS, Governor Hochul's FY2024 Executive Budget includes the "New York Housing Compact" which is an initiative to build 800,000 homes statewide over the next decade with an inclusion that will allow New York State to ignore local zoning authority in order to achieve the target housing growth, and

WHEREAS, this housing initiative amends General Municipal Law and overrides a local municipalities' land use regulation essentially gutting the home rule authority of local municipalities, and

WHEREAS, it further requires the local municipality to meet or exceed a Residential Dwelling Growth Target or enact by local law two of five "preferred actions" in order to be considered in "Safe Harbor" status, and

WHEREAS, all five "preferred actions" require extreme and substantial amendments to local zoning, including but not limited to, no restrictions on minimum lot size, height limits, setbacks, parking, and no environmental review, planning board review and aesthetic review, and

WHEREAS, appeals can be brought to a new State Housing Review Board usurping the Home Rule authority of local land use boards thereby eliminating local control and input from those whom better understand the community, and

WHEREAS, another collectivist attempt by the Governor in her proposal to limit local control is new zoning would be exempt from SEQRA, and

WHEREAS, the Governor's proposal would prohibit municipalities from adopting reasonable and appropriate development regulations to insure the development is compatible with the surrounding uses, such as lot coverage, open space, building height, setbacks, floor area ratios or parking restrictions, and

WHEREAS, residents in counties of Western New York have had a voice and participated in land use decisions for decades, including but not limited to updating of the County's Comprehensive Plan, participating in public hearings, and volunteering on local municipal

boards and committees, and

WHEREAS, residents of counties of Western New York will be disenfranchised from their local elected officials and local volunteer Boards, and it will render all of the residents' input meaningless, and

WHEREAS, the issue of most importance in counties of Western New York is not new housing but new affordable housing, and

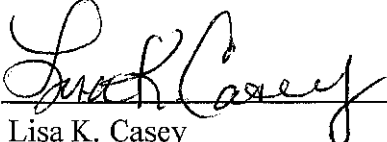
WHEREAS, the Governor's initiative does not require that new units have to be affordable, now, therefore, be it

RESOLVED, that the Inter-County Association of Western New York vehemently requests that any further process or action on these proposals be suspended until a transparent, collaborative process can be conducted with the meaningful participation of all local elected officials that would be affected by proposed mandates, and be it further

RESOLVED, that the Inter-County Association of Western New York adamantly opposes the Governor's Housing Compact and urges the State Legislature to preserve and protect Municipal Home Rule and Local Zoning Powers, and be it further

RESOLVED, that the Secretary of Inter-County Association is hereby directed to forward certified copies of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Rob Ortt, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader William Barclay, Senator George Borrello, Assemblyman Joseph Giglio, the New York State Association of Counties, and the Inter-County Association of Western New York.

This is to Certify that I, the undersigned, Secretary of the Inter-County Association of Western New York, have compared the foregoing copy of resolution with the original resolution now on file in this office and which was duly adopted by the Association at a session held on the 21st day of April 2023 and that the same is a true copy of said original and of the whole thereof. In Witness Whereof, I have hereunto subscribed my name and affixed the official seal of the Inter-County Association of Western New York dated April 21, 2023.



Lisa K. Casey
Inter-County Association of Western New York



Sponsored by: Cattaraugus County, Moved by: Rick Helmich (Cattaraugus), Seconded by: Rochelle Stein (Genesee)