

Tinti, Elisa

From: Emma Kang-Rosenthal <emmakangr@gmail.com>
Sent: Friday, February 17, 2023 10:31 AM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Written rezoning comment

Dear City of Kingston Common Council,

Thank you for this opportunity to provide input into the proposed rezoning code! My name is Emma Kang-Rosenthal and I live at 168 Washington ave, Kingston NY 12401. I believe our new zoning is an important opportunity to address the housing crisis in Kingston.

A large cause of this crisis is vacation rentals—Airbnbs where the host doesn't live there—that are turning our neighborhoods into unregulated hotels. What's happening is absentee investors are coming into our city, buying up entire homes, and listing them exclusively as vacation rentals. This is taking up our already limited housing stock, driving up prices for renters and first time homebuyers, and harms the character of our residential housing stock. When I first moved back to the Hudson Valley this past fall for a new job opportunity, it took me months to find any housing, let alone anything affordable. Due to the lack of safe, quality housing, I ended up entering into an unsafe living situation, and had to quickly exit that for my own safety. If Airbnbs weren't contributing to the housing crisis, and there were more available long-term housing, I believe this wouldn't have happened to me nor the countless other folks who are experiencing housing instability in the area.

The Common Council, though, has the power to address this issue - by editing the zoning code to ban vacation rentals, and require Airbnb hosts to prove they live on-site. I urge the Common Council to make these much needed edits, to preserve our residential housing stock, keep Kingston affordable, and ensure that our homes are used by residents, not exploited by absentee investors! This would affect hundreds, if not thousands of community members who are being forced out of the area and displaced from their homes. Once again, the Common Council has the power to change this, and I strongly urge you to consider this comment.

Sincerely,
Emma

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Tinti, Elisa

From: Lauren Forman <laurenforman@hotmail.com>
Sent: Friday, February 17, 2023 10:51 AM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Official Comments on Kingston Zoning Draft #3

Dear Ms. Tinti and Common Council,

I am a proud Kingston homeowner since 2006 in Downtown Kingston. As such, my comments are focused on the Downtown area, specifically, the waterfront.

I am pleased that the City is undergoing this rezoning process to simplify and clarify an outdated zoning code.

However, there are a number of issues I note from Draft #2 to Draft #3 that are crucial and in need of revision if the City wants to foster practical and feasible development of our sacred waterfront.

Please be mindful that the SD-W and SD-WMU designation only arose in Draft #3. This is the first opportunity the public has had to comment on it.

First: There is pointless confusion in the waterfront designations of SD-W and SD-WMU. There appears to be no as of right development on the Kingston Waterfront without the complex overlay process. This is a bad idea for the future of Kingston. We need to revert back to as of right (smart) development on the Waterfront. Remove the SD-W designation and allow as of right development in SD-WMU.

Second: The restriction on development with footprints greater than 10,000 sq ft without a special permit for 'commerce' type uses is extremely limiting. For example, this would inhibit the redevelopment of the Cornell Building into a restaurant without a special permit. How is this a good idea? Please increase the footprint cap to 40,000 sq ft.

Third: We need a hard steel bulkhead along the East Strand Waterfront. There have been multiple City wide studies with public participation that reached this conclusion. Senator Schumer supports this position. Why are we going backwards and creating confusion with references to a Natural Shoreline 'where feasible'? The hard steel bulkhead will act as a cap and is required by the DEC. Kingston was the 1st capital of the State of NY, with a rich maritime history – a continuous hard steel bulkhead will allow us to capitalize on that history.

Fourth: I fully support the Payment in Lieu of Affordable Housing alternative. The more options that we can provide developers to incentivize them to provide housing, the better off we are. Otherwise, we will continue to sit with an undeveloped waterfront and limited housing stock.

Fifth: Overall comment on the Waterfront development – there are some very narrow parcels down there – large setbacks like 15' to 25' are a non starter to development coupled with limiting height to 3 stories as a right. Please increase this to 4 stories and limit some of the setback requirements on narrow parcels.

Finally, if I have misinterpreted any of the Draft #3 provisions that I note above, that is even more reason to revise them.

This is our chance to bring Kingston to the next level and shine bright like it once did.

I appreciate your consideration.

Cordially,

Lauren Forman

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Tinti, Elisa

From: jfkrenek@aol.com
Sent: Friday, February 17, 2023 10:52 AM
To: Noble, Steve; bstarodaj@kingston-gov.com; Tinti, Elisa
Subject: [EXTERNAL EMAIL] Short Term Rentals

Hello there. My name is John Krenek and I'm the owner of exit nineteen at 309 Wall St. and Spruce Design + Decor located at 63 Broadway. First of all, let it be clear that there is a major need for more affordable housing in the city of Kingston. However, I am writing to express my concerns with the proposed short term rental regulations. This is a terrible next step for the city of Kingston. Being the owner of two stores and three short term rentals, I can tell you that short term rentals contribute economically, creatively, and to our community's overall energy and livelihood. They bring tourism to the city of Kingston, they have revitalized our streets, and they raise local tax revenues. In our stores, we are constantly in contact with short term rental guests. In fact, a vast majority of our clients are from out of town and we are proudly recommending all the local restaurants, activities and other retail shops in Kingston to them. Bottom line, the proposed strict laws on short term rentals will have a negative impact on property values and the local economy. In fact, this week, we attended the KWBA meeting for the downtown shops and everyone in attendance felt the exact same way. We all rely on the business generated by short term rentals. Please do not make us suffer because of the need for affordable housing. I ask the city of Kingston to build more housing and not take away short term rentals.

Sincerely,
John Krenek

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Testimony for New York Housing Conference
Kingston Common Council

February 17, 2023

On behalf of the New York Housing Conference (NYHC), we would like to thank the Kingston Common Council for the opportunity to comment in support of the citywide rezoning proposed as part of the Kingston Forward Initiative. NYHC is a statewide, nonprofit, affordable housing policy and advocacy organization. As a broad-based coalition, our mission is to advance City, State and Federal policies and funding to support the development and preservation of decent and affordable housing for *all* New Yorkers.

We are also a founding member of a new statewide pro-homes coalition – New York Neighbors – with other organizations such as Enterprise Community Partners, New York State Association for Affordable Housing, Open New York, Regional Plan Association, and Up for Growth. 40 additional organizations have joined in support of addressing land use barriers to increase housing supply, including housing organizations active in Kingston like RUPCO.

New York is suffering from a long-standing housing shortage that is impacting every corner of our state. In the past decade, New York has created jobs at 3 times the rate of housing units. Over that same time Ulster County has permitted just 16.6 units per 1,000 residents. According to the Regional Plan Association, New York needs to build over 800,000 housing units in the next decade to meet current needs and keep up with population growth.

This shortage is the driving force behind our affordability crisis causing rising rents, escalating homelessness, and a lack of homeownership opportunities for many working- and middle-class New Yorkers. In Kingston – which has seen significant population growth since COVID – the situation has gotten dire. The most recent rental vacancy study by the City of showed a vacancy rate of just 1.57% - a result of the high demand for housing. Half of renters are cost burdened and average rent prices have increased 26% over the past 2 years. Further, according to the National Association of Realtors, home prices in Kingston have increased over 55% in the past 3 years – effectively locking out first time buyers.

Much of our housing shortage can be attributed to overly restrictive local zoning including minimum lot size and parking requirements and single-family zoning. These restrictions are meant to exclude renters, low-income households and people of color from having access to communities with the amenities, schools and proximity to high quality jobs that all of us need. They also negatively impact our economy by preventing localities from creating the diverse housing stock needed to respond to job growth and serve residents at many different stages of life.

Unfortunately, as a state, New York has fallen behind on this issue. We have seen statewide efforts to tackle exclusionary zoning across the country in California, Utah and Oregon and from our neighbors in Massachusetts, New Jersey and Connecticut. In her Executive budget, Governor Kathy Hochul proposed her Housing Compact – a three-pronged approach to build 800,000 units over the next decade and ensure participation from every community. The Compact would set growth targets for every locality with incentives for affordable housing, establishes a set of alternative preferred zoning actions, requires transit-oriented development along MTA rail stations and create enforcement mechanisms to encourage compliance. Importantly, localities that have already taken action would be exempt from these requirements.

We commend the Kingston Department of Housing Initiatives for spearheading this initiative and proposing bold updates to the zoning code that remove major exclusionary barriers. The proposed changes will address the housing supply shortage, put in place strong affordability requirements, expand homeownership opportunities, and incentivize sustainable, walkable neighborhoods. The proposal is already aligned with the Housing Compact and exactly the kind of planning our state needs to see to move forward. Kingston's proposal is a model for equitable zoning that will enhance affordability, sustainability and a built environment that benefits residents and the community at large. This is a replicable model that other localities in NY should follow.

Kingston became a leader in tenant protections when you moved aggressively during Covid to protect renters from rising costs and became the first upstate municipality to adopt rent stabilization. Now is the time to address the underlying cause of the affordability crisis by making sure there are enough homes for existing and future residents. You can set an example for communities across the state again by showing smart, local growth is possible and beneficial to everyone.

Again, we write in strong support of the proposed citywide rezoning.

February 17, 2023

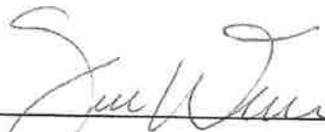
Dear City of Kingston Representatives:

My name is Sonia Lemus-Wright. I am originally from El Salvador and arrived to Kingston NY in the early 2000's. My husband, Andrew Wright, was born in Chicago; he moved to the area in the late 80's, and has operated his business in the City of Kingston since 1990.

Even though our lives came from two completely different backgrounds, we found ourselves loving the City of Kingston which has given us both great opportunities for advancement and growth. We have been witnesses of how the city has changed over the decades, and we both agree that the proposed Zoning Code will address some of the obstacles that many have encountered when trying to develop projects within the city. The code also incentivizes the inclusion of affordable housing which we also support.

We have watched and attended meetings where the different stakeholders have expressed their concerns, and even though the new code might not be everything we all wanted, we wholeheartedly believe that voting in favor of the new code is the right next step for the City of Kingston.

Yours Truly,



Sonia Wright



Andrew Wright

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KINGSTON, NY
1 2 4 0 1
845 - 338 - 3383
www.wrightarchitectspllc.com

17 de febrero de 2023

Estimados representantes de la ciudad de Kingston:

Mi nombre es Sonia Lemus-Wright. Yo soy originaria de El Salvador y he residido en la ciudad de Kingston por más de 20 años. Mi esposo, Andrew Wright, nació en Chicago; él llegó a esta área a finales de los 80 y ha operado su negocio en la ciudad de Kingston desde 1990.

A pesar de que nuestros orígenes son de entornos completamente diferentes, ambos le tenemos mucho cariño a la ciudad de Kingston, una ciudad que nos ha dado oportunidades de progreso y crecimiento. Nosotros hemos sido testigos de los cambios que la ciudad ha experimentado en las últimas décadas y ambos creemos que el Código de Zonificación que se ha propuesto afrontara algunos de los obstáculos que muchos hemos experimentado al tratar de desarrollar proyectos en nuestra querida ciudad. El código incentiva la inclusión de viviendas asequibles algo que nosotros favorecemos.

El proceso de rezonificación ha sido influido por diferentes partes interesadas quienes tuvieron la oportunidad de expresar diferentes opiniones, aunque el código nuevo no incluye todo lo que todos hubiésemos querido, estamos convencidos que votar a favor del código es lo mejor para la ciudad de Kingston.

Atentamente,



Sonia Wright



Andrew Wright

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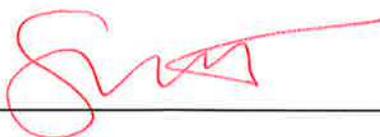
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Atentamente,



Sonia Wright



Andrew Wright

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February 17, 2023

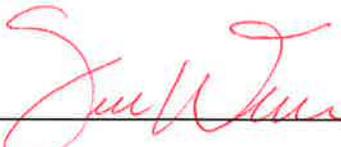
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Even though our lives came from two completely different backgrounds, we found ourselves loving the City of Kingston which has given us both great opportunities for advancement and growth. We have been witnesses of how the city has changed over the decades, and we both agree that the proposed Zoning Code will address some of the obstacles that many have encountered when trying to develop projects within the city. The code also incentivizes the inclusion of affordable housing which we also support.

We have watched and attended meetings where the different stakeholders have expressed their concerns, and even though the new code might not be everything we all wanted, we wholeheartedly believe that voting in favor of the new code is the right next step for the City of Kingston.

Yours Truly,



Sonia Wright



Andrew Wright

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Tinti, Elisa

From: Howard Weiss <howardbklyn@gmail.com>
Sent: Friday, February 17, 2023 11:46 AM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Zoning Code - Public Comment

Dear Common Council Members,

The Common Council is now considering changes to the zoning code, including regulations for short term housing -- vacation rentals. I am very concerned about the negative impact that short term vacation rentals have on our local economy, the availability of affordable housing and the quality of life in our neighborhoods. I believe that the code must include a total ban on short term rentals unless the owner currently lives on the premises. This is the most effective way of preventing investors, especially those who don't even live in the area, from removing apartments and homes in a marketplace already suffering from a severe shortage of affordable housing. By updating its zoning codes Kingston now has a golden opportunity to grow and shape its future in ways that cultivate diversity and values strong neighborhoods. Failure to take every possible step to provide sufficient affordable housing will force more and more people who call Kingston home out of the city.

Kingston has a long, rich history that makes it a unique and appealing place to live. Taking housing away from people who have made and continue to make the city work and giving it to investors and tourists does not make any sense. In fact, it will only undermine community cohesion and continuity.

Some degree of population displacement and gentrification is inevitable, but we owe it to each other to provide alternatives to profit over people solutions. Banning short term vacation rentals, especially those that

financially benefit distant investors, can only help the housing situation in Kingston. I am in favor of promoting tourism in Kingston, but not at the expense of affordable housing and not if it means sending vacation rental profits to investors in far away places.

Also, please note that I am in opposition to the proposed code that offers property developers an alternative "payout" to avoid mandates to include affordable housing units. I believe this will unnecessarily diminish efforts to increase affordable housing in Kingston. I urge the Council to strike the Payment-in-lieu option as described in 405.19.A.1(h).

Aside from the two exceptions I have mentioned above I believe the zoning code revisions are a powerful and well conceived approach to a better Kingston and appreciate all the hard work and time that went into creating the plan.

Respectfully,
Howard Weiss
For the Many Volunteer

53 Brewster Street

Tinti, Elisa

From: julie ballou <jasb321@msn.com>
Sent: Friday, February 17, 2023 1:49 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Zoning comments

I am Julie Ballou and I live at 202 West Chestnut Street in Kingston.

First I want to thank the board for adjusting the zoning of our homes to be in sync with the rest of our neighborhood. However, I have two concerns regarding the rezoning plan. First the explosion of homes being bought and made into short term rentals is having a negative impact on our neighborhoods. It is also driving up the prices of available homes making it nearly impossible for city residents to purchase a new residence. Secondly parking continues to be an issue on my street as well as others. The additional strain of these rentals may add to the overall problem faced by city residents. Lastly on an issue very close to my heart - I am concerned about what usage the land behind my home- 2-16 Montrepose will be utilized for. Any development would need to be built with the environmental factors being a major concern. It is a woodland - home to many forms of wildlife and has a natural stream flowing through it. All of this needs to be considered. Additionally the West Pierpont Hill alongside the property is very steep and narrow and can barely contain two vehicles passing each other. Near

misses occur on a daily basis. Additional traffic would only add to the problem and needs to be addressed.

Thank you for allowing me to share my concerns about certain segments of the plan. Much kudos for the dedication and time on this project.

Sincerely

Julie Ballou

914 388 4171

Julie Sent from my iPhone

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Dear City of Kingston Laws and Rules Committee,

Thank you so much for the opportunity to provide public comment on the final of the proposed rezoning. We believe that the final rezoning draft proposed by the Mayor's office makes strides towards making housing more affordable and accessible in Kingston, but that the Common Council must make certain edits, particularly around Short-Term Rental Regulation and Affordable Housing, to ensure that the final zoning code is as strong as it could be.

1. Short-Term Rental Regulation

We urge the Common Council to strengthen the regulations on short-term rentals (STRs) in the final zoning code, by banning all non-owner occupied STRs. Many community stakeholders, from community members, to elected leaders on the Common Council, to advocates have identified unregulated short-term rentals as an issue. According to a recent study from the Ulster County Comptroller's office: "Short-term rentals have profoundly impacted the availability of long-term housing for rent and purchase in Ulster County, contributing to the conditions that create high costs and lack of availability." The study noted that "there are enough short-term rentals to significantly impact the [county's] vacancy rate". An additional study from the Economic Policy Institute concluded that "rising housing costs are a key problem for American families, and evidence suggests that the presence of Airbnb raises local housing costs".

The sheer magnitude of the issue of STRs in Kingston and Ulster County demonstrates the need for bold action. In our view, non-owner occupied STRs are the crux of the problem, as they take up valuable housing stock that could be used to house long-term residents, drive up prices for homeowners and tenants alike, and harm the character of Kingston's residential neighborhoods. The regulations as they stand, which allow up to 1% of the total housing stock to be used as non owner occupied STRs, **would take 100 housing units off of the market for long-term Kingston residents - and that is only if these regulations are perfectly enforced.** The current regulations create an overly complex and patchwork system with three different types of permits, rendering them



incredibly difficult to enforce. What will inevitably result is, as is the case in so many other cities with weak STR regulations, investors and Airbnb hosts exploiting the loopholes in the system and continuing to take up a large proportion of the housing stock, driving prices up for Kingston residents.

Additionally, **we strongly ask that you do not grandfather in existing non-owner occupied STRs.** Kingston's housing stock is already squeezed by these vacation rentals, and they are **already** taking up housing that could be used by long-term residents, driving up prices for everyone. In fact, according to industry websites, about **two-thirds** of Kingston's currently available housing is short-term. This urgently needs to be corrected - by mandating that **current non-owner occupied STRs be converted into long term housing.**

We would also want to note that these kinds of stringent short-term rental regulations are completely within the authority of the Common Council to enact. Similar regulations in the City of Santa Monica, CA (which has some of the most effective STR regulations in the country) have been upheld multiple times.

Finally, we **ask that the Common Council consider additional regulations that could be passed outside of the zoning code that we believe are necessary for effective enforcement of these restrictions.** These would include a registration system, maintained by the City of Kingston, that requires documented proof of primary residence, data sharing requirements from short-term rental platforms, and holding platforms liable for facilitating transactions from unregistered listings. We would love to follow up with the Common Council in the coming weeks and months to discuss this further.

2. Affordable Housing

While we appreciate the standards for affordable housing included in the final draft, as well as the inclusion of further requirements for workforce housing, we still believe these requirements fall below the necessary level to ensure that Kingston has ample affordable housing to meet the needs of its residents. We also strongly urge the Council to remove the Payment In Lieu of Affordable Housing provision.



A Payment In Lieu of Affordable Housing would allow a developer to pay the city a fee, to go into an “Affordable Housing Fund”, to be used at a later time to build more affordable housing, **instead** of actually including in their new development the necessary affordable housing. However, the fee that the developer would have to pay, in our view, would be **substantially less** than the cost of developing an affordable housing unit! Thus, developers are incentivized to simply put money in the fund instead of building affordable housing units, and the money in the fund would be much less than what is needed to actually build more affordable housing units. While we applaud the intention behind this mechanism (and hope that Kingston does develop an Affordable Housing Fund, but created in a different way), it would actually **prevent much needed affordable housing from being built**. Furthermore, Kingston residents are in a housing crisis **right now**. They can not afford to wait for more hypothetical affordable housing to be built at some later date – they need more affordable housing **now**.

The zoning code also defines affordable housing as housing that is affordable to those making 80% or below of Ulster County AMI, and workforce housing as housing affordable to those at 100% AMI or below. **This means that those most in need of affordable housing – those making significantly less than Ulster County AMI – would still be heavily burdened by the rent in these “affordable” units.** We urge you to shift these definitions, to ensure that affordable housing is affordable to those making 40% of Ulster County AMI or less.

Furthermore, we urge you to expand affordable and workforce housing requirements. The current requirements, 10% affordable in buildings with 7–19 units, and 10% affordable and 5% workforce in buildings 20–49 units, and 10% affordable and 10% workforce in buildings of 50 or more units, do not set aside enough housing to meet the scale of the housing crisis. **We ask that these requirements be expanded to at least 20% affordable housing in all buildings of 7 or more units.**

We firmly **do not** believe that expanding affordable housing requirements in the above ways will deter from development – development and real estate investment will continue to be profitable, as reflected by the record profits this industry has had in the



past several years. Instead, adopting the above requirements will ensure that working class Kingston residents will be able to more easily find an affordable place to live.

Conclusion:

We believe that this rezoning process can boldly address Kingston's housing crisis by prohibiting non-owner occupied short-term rentals and expanding affordable housing. This final rezoning draft presented by the Mayor and the Housing Director take several important steps forward, but do not go far enough to adequately address short-term rentals and expand affordable housing. We urge the Common Council to exert its own power, and edit the zoning code in the above ways to ensure that Kingston is a place where current residents and future generations can thrive.

Tinti, Elisa

From: Aron Chilewich <chilewich@gmail.com>
Sent: Friday, February 17, 2023 5:41 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Zoning - Written Comment

Hello -

I made a public statement at the Laws and Rules hearing on the new form based code, and I would like to submit the same statement as a written comment for those councilmembers who could not attend.

My name is Aron Chilewich. My fiance and I live at 75 Madison Avenue, in Roosevelt Park, in Kingston's Sixth Ward. I am an urban planner by education, and I work professionally in subsidized housing development. But I speak today as a resident and as a homeowner in Roosevelt Park--one of Kingston's single-family neighborhoods.

I am here today to say with no hesitation that my neighborhood would be better if multifamily housing were allowed to be built next to single family homes, as it would be under the new zoning. As someone who follows urban economic research, as someone whose career is focused on developing affordable housing, as someone who lives in a single family home: I fully support the new zoning code. More neighbors are good neighbors.

Simply put, regardless of kind, Kingston, like most cities in our country, needs additional housing. New housing brings down the price of housing overall, new housing means less competition for a small number of available existing units, which means more housing available for low-income residents.

If passed, the effects of the new zoning will take time to realize. There will be fights over new "luxury" housing, there will be fights over new "affordable" housing - there will simply be fights because new housing involves change.

While there may be vocal opposition to this measure in single family home neighborhoods like mine, those opponents are not representative, and they are putting themselves ahead of the greater need. I ask that you lend your support to this proposal.

Thank you,
Aron

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Tinti, Elisa

From: Carolina Soto <dakini2000@mindspring.com>
Sent: Friday, February 17, 2023 6:11 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Zoning and Airbnb

Dear City of Kingston Common Council,

I am thankful for the opportunity to provide input into the proposed rezoning code. I am Carol Soto (I am on the Kingston rent guidelines board) I live at 305 Hurley Ave Apt 17A Kingston NY 12401. I believe our new zoning is an important opportunity to address the housing crisis in Kingston.

While I was looking for an apartment in Kingston I found that vacation rentals—Airbnbs where the host doesn't live there—that are turning our neighborhoods into unregulated hotels. I believe if you have a small apartment on your property and are renting it seasonally that this is fine but what is happening is absentee investors are coming into our city, buying up entire homes, and listing them exclusively as vacation rentals. This is taking up our already limited housing stock, driving up prices for renters and first time homebuyers, and harms the character of our residential housing stock. [Insert personal/friend story re: housing affordability/availability] I was looking for a house for three years before settling on a rental property!

The Common Council, though, has the power to address this issue - by editing the zoning code to ban vacation rentals, and require Airbnb hosts to prove they live on-site. I urge the Common Council to make these much needed edits, to preserve our residential housing stock, keep Kingston affordable, and ensure that our homes are used by residents, not exploited by absentee investors. What we need is for those landlords that are Airbnbng several properties stop, so that there is a normal rentals market again.

Sincerely, Carol Soto

 Carolina Soto
305 Hurley Ave 17A
Kingston NY 12401

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February 17, 2023

Leo Schupp

39 Dietz Ct

Kingston, N.Y, 12401

Kingston Common Council

City Hall

Kingston, N.Y.12401

***The proposed changes designed to lead to more affordable and attainable housing will lead to overdevelopment and density. Infill development will rob existing neighborhoods of their quiet uncrowded character.

***Kingston's neighborhoods are already developed for the most part. Business and commercial zones could expand allowed uses to include multiplexes which would be a less intense use in them than if they were allowed in what are currently RRR or R1 zones.

***Short term rentals should not be allowed. Only those that are owner occupied and currently operating legally should continue as preexisting non-conforming.

***Parking requirements should not be decreased. With more development and the addition of businesses in residential neighborhoods parking will be more important than ever. Without it our streets will be less walkable. Insufficient parking has always been a problem. We need more, not less!

***Legalizing corner stores will lead to the degradation of what are now highly residential neighborhoods. They will draw traffic of all types into previously quiet neighborhoods. Zoning Boards of Appeals will grant use variances, rationalizing that other types of business aren't significantly different from what is allowed. These businesses and the resulting traffic and noise will chase many longtime residents out of Kingston.

***More housing means growing pains. The streamlining that the new code brings will mean more development happening more quickly. Can we absorb the new growth without overtaxing our infrastructure? Will there be enough electricity, water, sewage treatment, and services to satisfy an expanded population?

***The Form Based Code will not ensure new development will fit in better with its surroundings. Diversity of uses may work in commercial districts, but they are incompatible with quality of life in residential neighborhoods and are what led to our present day zoning.

***The Form Based Code is a complete change from our Euclidian Zoning. Is there a "safety valve" for when we realize we've got enough additional development or that the Form Based Code isn't working for us.

Tinti, Elisa

From: Jason Kaminski <jasonkaminski11@gmail.com>
Sent: Friday, February 17, 2023 9:58 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Public comment on Kingston Zoning Code

Dear City Clerk Elisa Tinti,

My name is Jason Kaminski and I reside at 87 Saint James St. I am writing to express my overall support for the implementation of the new zoning code with a few exceptions noted below.

I find the new restrictions on STRs to be draconian and STR owners are being blamed for all of it. The concerns of groups like FortheMany are well-founded but the roots of this housing crisis stem from many varying factors, the largest of which is the current code being so restrictive in preventing adequate development of new, affordable housing.

A recent article in the New York Times highlighted the fact that new affordable starter homes are only 8% of new construction.

"Nationwide, the small detached house has all but vanished from new construction. Only about 8 percent of new single-family homes today are 1,400 square feet or less. In the 1940s, according to CoreLogic, nearly 70 percent of new houses were that small."

The advantages of STRs where the owner resides on the property are many. Among those that stand out to me are:

- All local businesses benefit when travelers have unique places to stay directly in the community that fit their specific needs. Walkability to local businesses is a major draw for visitors. Without STRs you are giving a gift to major hotel corporations and boutique hotel developers that quickly gentrify neighborhoods.
- STR owners keep properties well-maintained and visually appealing as well as maintaining safety requirements (i.e. no parties, no loud music, no bonfires etc.).
- STR hosts are able to offer recommendations to visitors on businesses & sites to visit.
- In 2021, Ulster county generated \$3.57 million in occupancy tax!! This number is likely to increase going forward. I support 100% of this revenue going directly to affordable housing developments.

STR owners are being painted with a broad brush by accusations that most STRs are run by absentee investors. Where is the actual data that supports this? Before I moved to Kingston in 2020, I stayed at three AirBnbs in 2018-2019. All of them were separate units of a private home and the owner was lived in main house on the property. I met the owners and we had lovely interactions.

When I bought my house in 2020, one month before the pandemic, I had no intention of becoming an Airbnb host. When I found myself unemployed due to Covid with no money coming in, I was forced to make the decision to list one unit of my house on Airbnb. If i had not made that choice or had been restricted by the city in doing so, I would have had to foreclose on my house. The income I made from Airbnb at that time was CRUCIAL to keeping me out of major debt & foreclosure. Think of other folks who might be in a similar situation that face a sudden hardship -- job loss, medical leave, divorce, retirement or are unable to work.

The type of restrictions the city is imposing in this zoning code are too strict and would prevent someone to earn from their personal property. I feel any restrictions placed on STRs should be debated by local law makers and passed legislatively *not* in the zoning code. Putting these current restrictions in the zoning code could have long term effects that are irreversible. However, the new code should define "owner-occupied" STRs as an owner who resides on the *property*, not just people hosting guests in the the same dwelling unit.

Separately, I do not support the so-called “payment in lieu of affordable housing loophole.” Developers should be required by law to include affordable housing.

Restricting all STRs is a “one-stop-shop solution” that doesn’t address the nuances of the real problem. Rents and home values have soared in this area. The assumption that banning STRs cause rents to drop is not realistic. Rents and home values will continue to be high as a result of a booming real estate market.

The real solution should have many facets tailored to key problems at hand. Cracking down on absentee investors is one part of it but those of us who are making ends meet in full compliance with the law should not be demonized.

The only way out of this housing crisis is for local, county, state, & federal governments to heavily prioritize the building of a new, wide ranging variety of affordable housing stock as well as incentivizing landlords to keep rents fair.

Sincerely,
Jason Kaminski

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Tinti, Elisa

From: Susan Flores <susanflores047@gmail.com>
Sent: Friday, February 17, 2023 10:24 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL]

I have 2 airbnb 's in one house in Kingston , it's more work for me. But since I've previously had reg.long term rentals and my places been abused by the tenets and cost me and lost more than\$7000.00 to remove them ,Is reason I've gone with short term rental thru airbnb, it's crazy how tenets now have more rights on a property than the owner who pays the taxes, insurance, all repairs,therefor best gor a landlord is to do short term rental, or just sell proerties and leave ,I'm not a wealthy woman,, this is my only income along with social security.

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ULSTER COUNTY OFFICE OF THE COMPTROLLER

March S. Gallagher, Esq.
Comptroller



Alicia DeMarco, CPA
Deputy Comptroller

February 17, 2023

City of Kingston
Common Council
420 Broadway
Kingston, NY 12401

Dear City of Kingston Common Council,

I am writing to share some research my office conducted on the impact of short-term rentals (STRs) on housing stock in our community. In 2022 the Ulster County Comptroller's Office released a Short-Term Rental Snapshot (attached). Our research demonstrated that 3% of all housing units in Ulster County were being used as short-term rentals. When we screened for rental units only, that number climbed to 12% of all rental units in Ulster County being used as short-term rentals.

While short-term rentals provide income to some residents in Ulster County, too often these short-term rental units are owned by non-resident investors. Our local tourism economy benefits from the increased visitation that short-term rentals bring, however, the tourism industry as well as many other industries, are impacted by a lack of affordable housing for workforce exacerbated by the short-term rental market.

Our report recommended that municipalities consider the following issues when developing regulation of short-term rentals:

- Designating appropriate zones for STRs
- Requiring owner occupancy
- Limiting the number of units per owner
- Capping the total number of units
- Requiring an application and registration process with fees that support enforcement
- Barring STRs in multifamily units to preserve supply
- Limiting the number of days a unit can be used for STR
- Imposing safety, noise and nuisance requirements

Thank you for your consideration of these matters and for your public service.

Yours truly,

A handwritten signature in cursive script that reads "March Gallagher".

March Gallagher
Ulster County Comptroller



ULSTER COUNTY OFFICE OF THE COMPTROLLER

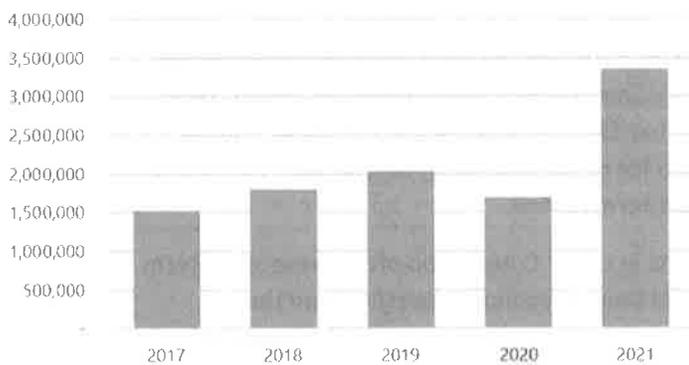
Short-Term Rental Snapshot

Released July 2022

comptroller.ulstercountyny.gov

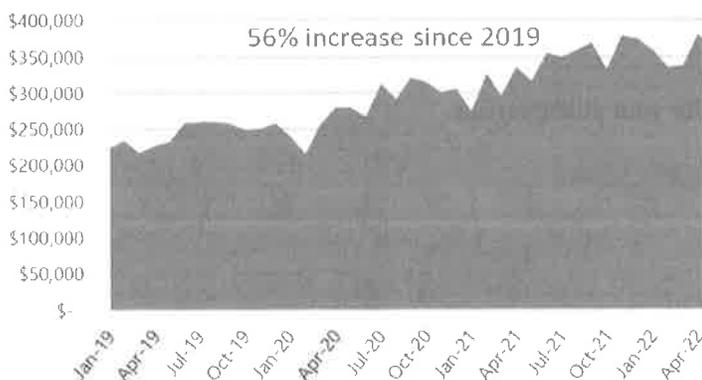
Ulster County has long thrived off the tourism and hospitality industry. Tourism and hospitality represent 45% of all Ulster County jobs created in the last year. According to the Albany Times Union, Ulster County hosts earned over \$7 million in Airbnb revenues in 2021, a 133% increase over 2019 revenues and a full 6% of the entire host market in New York State. Ulster County has seen Occupancy Tax collections grow substantially from \$1.53 million to \$3.57 million over the last five years. The bulk of that increase has been since the 2021 implementation of the voluntary collection agreement with Airbnb and during the pandemic.

Ulster County Actual Occupancy Tax Revenues



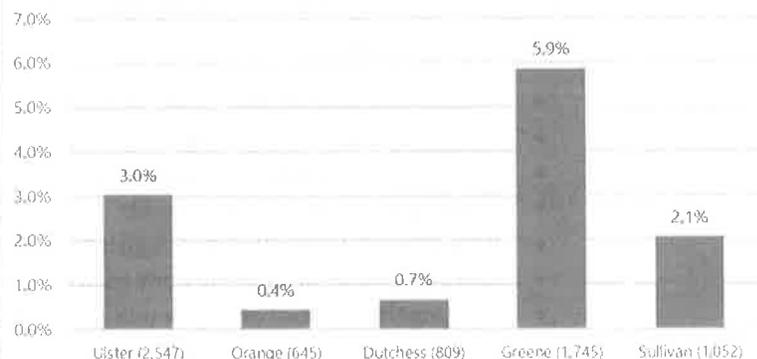
Inventories of rentals and properties for purchase are scarce. Kingston just revised a vacancy study showing a vacancy rate of 1.57%. According to the NYS Association of Realtors, purchase supply has dwindled from 1,432 homes for sale in May of 2019 to 532 homes for sale in May of 2022. Additionally, Ulster County has seen a tremendous increase in median home sale price of 56% in just over three years, from \$225,000 in January 2019 to \$363,000 in May of 2022.

Ulster County Median Home Sale Price



Using data from AirDNA, as of June 2022, an evaluation of short-term rentals (STR) compared to housing units shows that Ulster County has 2,587 short term rentals or 3% of its total housing stock and 12% of all rental housing stock. These numbers are slightly above Sullivan County, but below Greene County which has been even more impacted. In Greene County, 5.9% of all housing units are short-term rentals and a shocking 45% of all rental units are short-term rentals. By comparison, Orange and Dutchess Counties both have under one percent of their housing units listed as short-term rentals. Ulster County has more short-term rental housing units than any other county in the region.

% of Housing Units Offered as Short Term Rentals



The short-term rental market in the Hudson Valley has expanded greatly over the last decade bringing additional lodging options and additional revenues to property owners, but not without side effects such as nuisance complaints and a reduction in long-term housing supply.

In 2020, the Comptroller's Office audited the occupancy taxes collected from short-term rentals (finding Ulster County was not capturing all taxes due) and this resulted in the County instituting a voluntary collection agreement with Airbnb to collect taxes at the point of sale. The Comptroller Office also issued a report on emergency housing last year (families are spending on average 97 days in emergency housing for lack of affordable housing supply).

The Emergency Tenant Protection Act defines a housing emergency as a vacancy rate of less than 5%. There are enough short-term rentals in Ulster County to significantly impact the vacancy rate.

Ulster County has seen tremendous impacts on the housing market from short-term rentals which is why at least ten municipalities have already adopted STR regulation including the City of Kingston, the Towns of Hurley, Marletown, Marlborough, Olive, Saugerties, Shandaken, and Woodstock; and the Villages of Ellenville and New Paltz. The Towns of Gardiner and Shawangunk have actively considered STR regulation. The Village of Saugerties is considering STR regulation. These local laws vary in their implementation. Each town, village, and the city will need to adjust their laws to meet local needs while considering their zoning code, economic base, and housing availability.

Some of the municipal considerations in short-term rental regulation include:

- Appropriate zones for STRs
- Requiring owner occupation or not
- Limiting the number of units a single owner can register
- Requiring a local host or property manager to address complaints and emergencies
- Capping the total number of STR registrations
- Application and annual registration fees ranging from \$50 to \$400 (ownership and size dependent)
- Barring STRs in multifamily dwellings to preserve housing supply
- Limiting the number of days that a property can be used for STR
- Imposing safety, noise, and nuisance requirements

The City of Kingston has redefined short-term rentals as hotels and limited those to specific zones, although the City is contemplating additional changes. Other communities allow short-term rentals in any area that residential use is allowed. Several municipalities have limited short-term rentals to properties with one or two units only so as to preserve affordable housing stock. Some municipalities have banned non-owner-occupied short-term rentals while others limit non-owner occupied to a single short-term rental unit. Both the Village of New Paltz and the Town of Hurley ban all non-owner occupied whereas the Town of Shandaken has set a cap of 150 non-owner occupied. Communities may choose to allow non-owner occupied short-term rentals if they have a tourism dependent economy and little formal hotel lodging. Local land use regulations allow communities to make the best decision for their communities.

Housing Units from 2020 US Census and Short-Term Rental Units per AirDNA June 2022									
County	Total Housing Units	% Occupied Units	# Occupied Units	% Rental Units	# Rental Units	STRs Whole Units	% Occupied Units as STR	% of All Units as STR	% of Rental Units as STR
Ulster (2,547)	85,372	82%	70,005	31%	21,702	2,587	3.7%	3.0%	12%
Orange (645)	144,264	90%	129,838	32%	41,548	645	0.5%	0.4%	2%
Dutchess (809)	121,161	91%	110,257	32%	35,282	809	0.7%	0.7%	2%
Greene (1,745)	29,746	59%	17,550	23%	4,037	1,745	9.9%	5.9%	43%
Sullivan (1,052)	50,966	56%	28,541	31%	8,848	1,052	3.7%	2.1%	12%



Tinti, Elisa

From: oest51@yahoo.com
Sent: Saturday, February 18, 2023 9:14 AM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Firehouse Inn-comment

Hi,

This is Maria Dijk from Firehouse Inn,
88-90 Abeel Street.

I understand that there has to be a limit to the short term rentals.

Just wondering if areas like Abeel Street which is part of waterfront would be allowed more short term rentals, because of proximity to restaurants and shops, while in strictly residential areas there would be less.

I have been doing my one room Airbnb since 2014, and it has helped me greatly in being able to keep this building for our family instead of having to sell. Unfortunately the taxes have gone up a lot and we still have a steep mortgage. So I am grateful, besides the badly needed income, that I can welcome guests here and make them really comfortable. I am enjoying having this place and staying connected with the world. It is just really fun connecting with people from all over.

The short term rentals do bring a lot of money into this community. Kingston has so much to offer, and the excitement of guests as they are discovering Kingston is just wonderful. Tourism is just such a powerful element in this area.

Thank you for all your efforts to make this city work for everyone!

Maria Dijk
(845)216-3927

Sent from my iPhone

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Tinti, Elisa

From: Meagan Pagano <mbianco@ulsterstrong.com>
Sent: Saturday, February 18, 2023 10:25 AM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Ulster Strong Comments for Kingston Forward

Dear Ms. Tinti,

Ulster Strong recognizes the proposed form-based zoning code known as "Kingston Forward" as a thoughtful and reasonable plan for making the City of Kingston more diverse and walkable. Generally speaking, we believe the new zoning plan will induce increased economic activity in the city and allow for more housing to be built which are two priorities shared by Ulster Strong,

We also applaud the efforts made to incorporate the vision of the Kingston waterfront outlined in multiple plans going back to the early 1990's that include residential and commercial development. Aligning the updated zoning code with those well-thought plans creates a clear roadmap for the redevelopment of a formerly industrialized waterfront. This approach will maximize the benefits of the waterfront and make it more accessible for all of the city's residents.

Further, we would like to note our support of two items relating to the zoning on the waterfront:

- **Density & Development:** Ulster Strong values the rezoning effort to streamline residential and commercial projects in this area. However, necessitating special use permits for any commercial project over 10,000 SF will severely limit the efficiency of the redevelopment and put heavy burdens of time and money on any proposed project. We understand large projects need further, more detailed review but would recommend the use of special permits for any project over 40,000 SF for additional review. Or perhaps remove commercial activities studied and approved for the waterfront -- retail, restaurant, hospitality, etc. - from this requirement.
- **Steal Bulkhead:** We strongly support the adoption of steal bulkhead to support the development of making this area pedestrian friendly and walkable. The inclusion of steal bulkhead will enable the construction of a pedestrian walkway along the waterfront, increasing waterfront access, and allow for enhanced maritime uses as envisioned by the city's extensive planning for the waterfront.. Additionally, there are environmental reasons why utilizing steal bulkhead is required, as it would serve as a key element of a "cap and contain" strategy for addressing soil contamination which is an unfortunate legacy of the waterfront's misguided industrial uses of the past. Steal bulkhead will limit the leaching of contaminants in the soil into the waterway -- a key objective of the NYS Department of Environmental Conservation as they work with property owners to address the environmental sins of the past on the waterfront.

Thank you for the opportunity to submit our comments on the proposed Kingston Forward zoning plan. We appreciate your consideration on the above matters.

Meagan P. Bianco

Meagan P. Bianco
Ulster Strong | Community Engagement Director
M: +1 845 216 8349
E: mbianco@ulsterstrong.com

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Public Comment on Kingston Forward 3.0 Draft Citywide Rezoning

Murray Cox/Inside Airbnb

Saturday February 18, 2023

Inside Airbnb

Adding data to the debate

INDEPENDENT, NON-COMMERCIAL,
OPEN SOURCE DATA TOOL

**How is Airbnb really
being used in and affecting
your neighborhood?**

Thank you for the opportunity to provide public comment on the [Kingston Forward 3.0 Draft Citywide Rezoning plan](#)¹ which was published on December 2, 2022. Specifically I'd like to address the short-term rental (STR) and bed & breakfast (B&B) regulations.

My name is **Murray Cox**, a resident of the nearby City of Newburgh, NY, at 52 Courtney Avenue, and I am the data activist founder of [Inside Airbnb](#)², a project which since 2015 has provided data and tools to help understand the impact of Airbnb on hundreds of cities. The project has allowed me to work with communities, policy makers, city administrators and researchers around the world and I have become an expert on short-term rentals and platforms like Airbnb including giving advice on policy responses, effective regulations and enforcement.

Some of my research which involved surveying and interviewing cities about short-term rentals, can be found in [Short-Term Rentals: Data, Negotiation and Collaboration Strategies for Cities](#)³ and [How short-term rental platforms like Airbnb fail to cooperate with cities and the need for strong regulations to protect housing](#)⁴.

I am also a member of the Coalition Against Illegal Hotels: a group of residents, tenants groups and affordable housing organizations fighting illegal hotels in New York City since 2004, which was responsible for advocating for, writing, and helping to pass New York City's [most recent regulations](#)⁵ which were passed by council 42-5 in 2020 and about to go into effect, which enforces existing bans on unhosted short-term rentals in both apartment buildings and 1- and 2-family homes..

In my experience, **cities serious about the impact of short term rentals on housing**, in the midst of housing crises, as many American and international cities are, **have restricted STR's to primary residents or more specifically restricted unhosted short term rentals**.

As the Kinston Forward draft citywide rezoning plan moved from version 2.0 to 3.0, it was notable that a ban on unhosted short-term rentals, which had broad public support to help address Kingston's own housing crisis, was removed in lieu of a proposed policy that would remove 1% of Kingston's residential housing to commercial full-time, unhosted short-term rentals.

¹ <https://engagekingston.com/kingston-forward>

² Inside Airbnb: <http://insideairbnb.com/>

³ Short-Term Rentals: Data, Negotiation and Collaboration Strategies for Cities.

<https://www.sharingcitiesaction.net/resources/report-for-cities/report-short-term-rentals-data-negotiation-and-collaboration-strategies-for-cities/>

⁴ "Platform Failures. How short-term rental platforms like Airbnb fail to cooperate with cities and the need for strong regulations to protect housing". Murray Cox and Kenneth Haar, December 2020.
<https://left.eu/issues/publications/platform-failures-how-short-term-rental-platforms-like-airbnb-fail-to-cooperate-with-cities-and-the-need-for-strong-regulations-to-protect-housing/>

⁵ Registration Law - Short-Term Rental Registration and Verification by Booking Services. The Mayor's Office of Special Enforcement, New York City.

<https://www.nyc.gov/site/speciaenforcement/registration-law/registration.page>

In reporting about the reversal of the short-term rental ban,⁶ Kingston's Mayor said that "the ban was not included because courts have ruled against banning non-owner-occupied rentals in other communities." and "(The new approach) was taken due to the new case law/judicial decisions around non-owner occupied units in various areas of our country".

Specifically, I believe the mayor is referencing a recent decision by the federal Fifth Circuit court⁷ to strike down a New Orleans law which permitted a resident of New Orleans LA (with a homestead exemption) to **short-term rent out an entire housing unit** on the same lot or in the same building as their residence.

If these were the only reasons for the reversal of the ban on unhosted short-term rentals, at best the legal applicability and response is incorrect and unjustified.

Laws which ban unhosted short-term rentals have been passed and survived federal legal challenges, notably in Santa Monica CA, which survived an appeal to the Ninth Circuit court, and which the Supreme Court of the United States refused to review⁸.

The appeals against New Orleans and Santa Monica used exactly the same legal arguments, the dormant commerce clause and discrimination to out-of-state residents.

What was different between Santa Monica and New Orleans, and allowed Santa Monica's short-term rental laws to prevail, was that Santa Monica proposed an outright ban on unhosted short-term rentals in residential neighborhoods, while New Orleans allowed only residents to operate an unhosted short-term rental.

Clearly, a ban on unhosted short-term rentals is viable and legally defensible if Kingston follows the Santa Monica model. The regulations recently passed in New York City, also bans unhosted short-term rentals, also were based on the Santa Monica laws and underwent extensive legal analysis during drafting.

I apologize for the over sharing of details, however it is important to break down these legal cases, especially when they were mentioned as the sole reason for a dramatic reversal of policy on unhosted short-term rentals in the most recent rezoning draft.

At the recent public hearing for the rezoning plan this past Monday (February 13 2023), there appeared to be little support for unhosted short-term rentals, yet wide support for a ban, therefore I question the goals of the new draft which reverses the ban, who it serves, and how to reconcile the draft against your city's response to the housing crisis.

Platform Data Sharing and Platform Accountability

⁶ "Kingston zoning draft nixes ban on non-owner-occupied short-term rentals". Paul Kirby, Daily Freeman. December 2023.

<https://www.dailyfreeman.com/2022/12/08/kingston-zoning-draft-nixes-ban-on-non-owner-occupied-short-term-rentals/>

⁷ "Fifth Circuit Strikes Down New Orleans Short-Term Rental Restriction". Practical Law Real Estate. August 2022.

<https://content.next.westlaw.com/practical-law/document/l848cf7f223b011ed9f24ec7b211d8087/Fifth-Circuit-Strikes-Down-New-Orleans-Short-Term-Rental-Restriction>

⁸ Petition for A Writ Of Certiorari to The United States Court Of Appeals For The Ninth Circuit on ROSENBLATT, v. THE CITY OF SANTA MONICA. The Supreme Court of the United States. April 2020.

https://www.supremecourt.gov/DocketPDF/19/19-1081/140752/20200402150437327_39680%20Cardona%20Brief.pdf

An important consideration with short-term rentals regulations are challenges with enforcement. After many years of hosts and platforms ignoring laws which restrict short-term rentals, the most successful regulations now include the following features:

- Platform data sharing, which requires short-term rental platforms to provide data to the city so that it is easy and efficient for the city to verify that short-term rental operators are properly registered
- Platform accountability, which obliges short-term rental platforms to do minimal checks to ensure that operators provide a valid registration number, before they can engage in short-term rentals in a city

Both of these regulatory devices now appear frequently in the regulations of many American cities, and have survived the legal attacks of both hosts and platforms, and therefore they are recommended and essential parts of any regulations.

Little restrictions on hosted short-term rentals and bed & breakfasts

While unhosted short-term rentals are an obvious attack on residential housing and affordability, hosted short-term rentals and bed & breakfasts also convert residential housing into commercial tourist accommodation, and can post the same impact on housing and incentives to convert residential properties.

The rezoning draft offers little restriction on this conversion, beyond a hosting requirement and relatively liberal room or guest restrictions.

For example

- There are no caps to the number of housing units that can be converted to hosted short-term rentals or bed & breakfasts
- The conversion can happen in almost every part of the city, instead of in a smaller "B&B district", or only in commercially zoned areas
- There is no public process about each conversion, e.g. a public hearing; affording little oversight, control or hearing of concerns
- The room and guest restrictions are such that they allow the creation of effectively commercially run business in residential properties in residential neighborhoods, not "home sharing". Under the draft:
 - Bed and breakfasts allows up to five rooms to be used for guests
 - Hosted short-term rentals allow up to 6 guests

Consideration should be made to provide restrictions on hosted short-term rentals and bed & breakfasts.

In summary, I urge the City of Kingston Common Council to reconsider the draft rezoning to help protect Kingston's crucial residential housing stock.

Thank You.

Background

As a (then) New York City resident and community activist, I founded the project Inside Airbnb in 2015 after concerns about gentrification and the contribution of the conversion of residential housing (rooms and entire apartments) into hotels in New York City neighborhoods. Highlights of the project and my advocacy include:

- insideairbnb.com has received millions of visits and hundreds of thousands of downloads of public, free data about Airbnb activity in more than 100 global cities, towns and entire countries.
- Inside Airbnb data has been used by activists, advocates, cities planners and has been cited in almost 1,000 research articles
- Worked with city officials around the world to provide data and advice, including New York City, the Cities of San Francisco, Amsterdam, Paris and Barcelona and many more.
- Participated in town halls, lectures, keynotes and panels at events on short-term rentals and data in New York City, Barcelona, Paris, Venice, Munich, Berkeley, Sydney, Melbourne and Hobart.
- Was an international guest of the City of Paris in June 2018 at a round-table discussing the announcement of the cooperation of the cities of Amsterdam Barcelona, Berlin, Lisbon, Madrid, Paris, and Vienna in confronting illegal short-term rentals and defending the right to housing
- In June 2020, co-authored "[Short-Term Rentals: Data, Negotiation and Collaboration Strategies for Cities](https://www.sharingcitiesaction.net/wp-content/uploads/2020/06/Short-Term-Rentals-Data-Negotiation-and-Collaboration-Strategies-for-Cities-Report.pdf)"⁹ for the [Sharing Cities Action task force](https://www.sharingcitiesaction.net/cities-task-force/)¹⁰ of which New York City is a member
- Conducted extensive research and interviews with cities, including New York City for "[Platform Failures](https://left.eu/issues/publications/platform-failures-how-short-term-rental-platforms-like-airbnb-fail-to-cooperate-with-cities-and-the-need-for-strong-regulations-to-protect-housing/)"¹¹: How short-term rental platforms like Airbnb fail to cooperate with cities and the need for strong regulations to protect housing." a report commissioned by members of the Internal Market and Consumer Protection Committee of the European Parliament

In New York City, apart from providing data to the public, activists, elected officials and the city administration, I have been:

- A Member of the Coalition Against Illegal Hotels, a grass roots group made up of more than 30 affordable housing advocates, tenant rights activists and neighborhood groups.
- The co-author of the report "[How Airbnb's Data hid the Facts in New York City](http://insideairbnb.com/how-airbnb-hid-the-facts-in-nyc/)"¹² which discovered that Airbnb manipulated publicly released data in order to hide commercial operators.
- In response to Airbnb's 2016 report "[Airbnb and Economic Opportunity in New York City's Predominantly Black Neighborhoods](http://insideairbnb.com/downloads/airbnb/Airbnb-and-Economic-Opportunity-in-New-York-City-Predominantly-Black-Neighborhoods-2016-04-18.pdf)"¹³, Inside Airbnb researched and published "[The Face Of Airbnb, New York City: Airbnb as a Racial Gentrification Tool](http://insideairbnb.com/face-of-airbnb-nyc/)"¹⁴ which found that the majority of hosts in Black NYC neighborhoods were white (by a factor of 500%). The conclusion is that Airbnb is being used as a racial gentrification tool to displace housing for long-term Black residents.

⁹<https://www.sharingcitiesaction.net/wp-content/uploads/2020/06/Short-Term-Rentals-Data-Negotiation-and-Collaboration-Strategies-for-Cities-Report.pdf>

¹⁰ <https://www.sharingcitiesaction.net/cities-task-force/>

¹¹<https://left.eu/issues/publications/platform-failures-how-short-term-rental-platforms-like-airbnb-fail-to-cooperate-with-cities-and-the-need-for-strong-regulations-to-protect-housing/>

¹² <http://insideairbnb.com/how-airbnb-hid-the-facts-in-nyc/>

¹³<http://insideairbnb.com/downloads/airbnb/Airbnb-and-Economic-Opportunity-in-New-York-City-Predominantly-Black-Neighborhoods-2016-04-18.pdf>

¹⁴ <http://insideairbnb.com/face-of-airbnb-nyc/>

Tinti, Elisa

From: Noah Kippley-Ogman <nkippleyogman@gmail.com>
Sent: Saturday, February 18, 2023 12:17 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] zoning code comment

Dear City of Kingston Common Council,

Thank you for this opportunity to provide input into the proposed rezoning code! My name is Noah Kippley-Ogman and I live at 59 W Chester St. I believe our new zoning is an important opportunity to invest in our community's future and to address the housing crisis in Kingston.

Overall, the proposed rezoning code is a remarkable and impressive feat -- it offers a template to preserve our community's character while providing clear and appropriate opportunities for meeting developing needs in the coming years. The authors of the plan and those who provided comments that were incorporated into the several drafts and revisions have much to be proud of.

One opportunity for improvement, though, has been highlighted by many of our fellow Kingstonians at public hearings and in public comments. Our city's housing crisis is in part driven by vacation rentals where the host doesn't live there that in effect turn our neighborhoods into unregulated hotels. What's happening is absentee investors are coming into our city, buying up entire homes, and listing them exclusively as vacation rentals. This is taking up our already limited housing stock, driving up prices for renters and first time homebuyers, and harms the character of our residential housing stock.

The Common Council, though, has the power to address this issue by making a targeted adjustment to the proposed zoning code to ban vacation rentals and to require Airbnb hosts to prove they live on-site. I encourage the Common Council to seriously consider these edits to prioritize the housing needs of our community over the profits of absentee investors.

Thank you so much for your service to our community and for considering this opportunity to improve upon the really impressive piece of work that the draft rezoning code is.

Warmly,

Noah Kippley-Ogman

Noah Kippley-Ogman
noah@noahko.com
651.269.7336

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Tinti, Elisa

From: Sebastian Pillitteri <sebastian.pillitteri@gmail.com>
Sent: Saturday, February 18, 2023 12:28 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Public Comment on the City's proposed Form-Base Code - Sebastian Pillitteri

My name is Sebastian Pillitteri, I reside and rent an apartment at 24 W Chester Street.

I am writing to urge the council to put back in the regulations on short term rentals that were present in the other two drafts of this zoning code. Non- primary residence homes should not be able to be used by the owners as unregulated hotels. We need to ensure that housing in Kingston is used the way it was intended to be, as housing for residents of this city, not for tourists and unregulated hotel operators.

I am also urging the council to increase the affordable housing requirement to 40% in order to match the affordable housing definition as laid out in the zoning code which states that affordable housing is for those who make up to 80% of the area median income. By definition median income means that half of that population falls below, and half falls above. Our zoning code considers affordable housing to be up to 80% of the area median income, which is why we should require at least 40% of housing units being built to be affordable housing.

This is an opportunity to do the right thing and stand with the renters of this city who simply want to keep living here. I urge you to put back in the short term rental regulation that was present in previous drafts, and increase the affordable housing requirement to 40%.

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Tinti, Elisa

From: Liz O'Connell <elisabeth.oconnell@gmail.com>
Sent: Saturday, February 18, 2023 12:57 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Kingston rezoning

Dear City of Kingston Common Council,

Thank you for this opportunity to provide input into the proposed rezoning code! My name is Elisabeth O'Connell and I live at 59 West Chester St in Kingston. I believe our new zoning is an important opportunity to address the housing crisis in Kingston.

A large cause of this crisis is vacation rentals—Airbnbs where the host doesn't live there—that are turning our neighborhoods into unregulated hotels. What's happening is absentee investors are coming into our city, buying up entire homes, and listing them exclusively as vacation rentals. This is taking up our already limited housing stock, driving up prices for renters and first time homebuyers, and harms the character of our residential housing stock. I am incredibly lucky to have been able to purchase a home in early April 2020 (with a pre-pandemic price). In the nearly 3 years I have lived in my home, I have seen several houses around me sell for between \$200-400k more than the purchase price of my home (our homes were in a similar price range pre-pandemic, according to online estimates). Some of these homes were explicitly advertised as being good opportunities for rentals or AirBNBs. I want to live in a community where I have neighbors who don't change from one weekend to the next, and where people who actually live in Kingston full time are able to afford to continue living here. The combination of the pandemic driving up home prices astronomically in our city and the lure of potential AirBNBs threatens to make our city a place where wealthy people who don't necessarily live here are more dominant and middle class and working class people are pushed out.

The Common Council, though, has the power to address this issue - by editing the zoning code to ban vacation rentals, and require Airbnb hosts to prove they live on-site. I urge the Common Council to make these much needed edits, to preserve our residential housing stock, keep Kingston affordable, and ensure that our homes are used by residents, not exploited by absentee investors.

I appreciate your willingness to read through our public comments, and I hope you'll do what's best for our city rather than prioritize profits for the few over the needs of the many.

Sincerely,
Elisabeth O'Connell

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Tinti, Elisa

From: Anne Outwater <anstedge@msn.com>
Sent: Saturday, February 18, 2023 12:58 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Citywide Rezoning

Kingston Forward: Citywide Rezoning

Dear City of Kingston Common Council:

As a single home property owner, I am very much opposed to allowing Accessory Dwelling Units in all areas of the City of Kingston. I do believe that those property owners who want to renovate their basements or existing garages to outside tenants, should be allowed to do so. However, to build tiny homes on existing properties where the neighborhood is primarily single family homes should NOT be allowed. Allowing the building of Accessory Dwelling Units in all areas of the City of Kingston would forever change the character of the City of Kingston.

I do believe that we have a shortage of housing, but I don't believe that all areas of the City of Kingston should be allowed to have higher density to relieve this problem.

I am also very much opposed to Short Term Rentals. The idea of having 100 buildings allowed to have Short Term Rentals will just exacerbate the problem of finding long-term rentals. Again, people who have bought their homes and have resided in the City of Kingston for many years do not want to have their neighborhoods become a beacon for short term rentals. People want to know who their neighbors are.

In addition, there should be regulations regarding PARKING. Parking should always be a consideration when approving additional dwelling units. Nobody wants to walk 3 or more blocks to the place where they reside.

Although Rezoning considerations have been going on for about one year or maybe a year and a half, there should be Additional time given to people due to the massive amount of information and rezoning repercussions that will inevitably occur if this is done too quickly.

Thank you for your time and consideration.

Sincerely,

Anne Stedge-Outwater
2 Hewitt Place
Kingston, New York

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Tinti, Elisa

From: Michael Kodransky <mkodransky@protonmail.com>
Sent: Saturday, February 18, 2023 4:52 PM
To: Tinti, Elisa
Subject: [EXTERNAL EMAIL] Enthusiastic Endorsement of Kingston Forward 3.0

Dear City Clerk Elisa Tinti,

I'm writing to express my enthusiastic endorsement of the Kingston Forward 3.0 plan. It sets out a vision and guidance for Kingston's growth that tackles multiple issues that are currently made worse by the outdated 1960s zoning code. I support that Kingston Forward will bring so many buildings in the city that are today considered non-conforming uses into compliance, legalize ADUs, abolish parking minimums, allow more flexible functions within existing structures, improve public space and foster vibrant neighborhoods across the city by allowing corner stores.

Thank you for your consideration of my comments.

All my best,
Michael Kodransky
Ward 7 - Kingston, NY

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