

ANNEX C

FRAMEWORK AMENDMENTS RELATING TO VACANCY REGISTRY

September 22, 2025

Why This Matters

Community survey results and public outreach made clear that long-term vacancies—both in the downtown commercial district and in residential areas—are a major concern.

Empty storefronts and unoccupied homes:

- Weaken the appearance and vibrancy of our streets.
- Reduce economic opportunity.
- Limit year-round activity that supports local businesses.

While each property has its own story, vacancies often arise from a mix of economic shifts, property owner decisions, high rehabilitation costs, regulatory constraints, and seasonal housing patterns. Left unaddressed, these factors can reinforce each other, creating a cycle where fewer year-round residents and active businesses lead to more vacancies, and vice versa.

This package is a **first step**: targeted measures to track, maintain, and activate vacant properties while encouraging quicker re-occupancy. Over time, the Village can consider more complex policy tools and economic incentives to reduce the number and duration of vacancies.

Preliminary Draft – For Discussion Purposes Only

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Key Challenges in Addressing Vacancies *(Not all apply to Greenport, but many do)*

- **Seasonal Economy Impacts** – Demand for storefronts drops when seasonal residents and visitors are absent.
 - **Investor-Driven Holding Patterns** – Some owners keep properties vacant awaiting higher sale prices or redevelopment.
 - **Tax and Estate Planning Incentives** – Owners may retain underutilized properties to take advantage of net operating loss deductions, depreciation, or to pass assets to heirs with a stepped-up tax basis.
 - **Overpriced Rents** – Asking rents exceed what small, local businesses can afford.
 - **Costly Rehabilitation** – Older buildings may require expensive repairs or code upgrades before re-occupancy.
 - **Regulatory Barriers** – Zoning restrictions, parking requirements, or lengthy approvals can deter new tenants.
 - **Short-Term Rental Conversions** – Housing units converted to STRs reduce year-round population that supports downtown.
 - **Changing Consumer Habits** – Retail formats and customer preferences shift faster than building space adapts.
 - **Limited Enforcement Tools** – Without clear standards and a registry, monitoring and enforcement are inconsistent.
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What We're Aiming For

- **Active Storefronts, Year-Round** – Ground-floor spaces open, inviting, and contributing to a lively downtown.
- **A Destination for Residents and Visitors** – Downtown meets both daily needs and special-visit appeal.
- **Property Owners as Partners** – Active stewardship and timely leasing of vacant properties.
- **Flexibility with Purpose** – Short-term, creative uses to bridge the gap until long-term tenants are found.
- **Making the Most of What We Have** – Encourage adaptive reuse and re-occupancy.
- **A Strong Local Economy** – Reduce barriers for small businesses and entrepreneurs.

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Proposed First-Step Code Changes

1. **Vacancy Registry** – Require owners of long-vacant properties to register, pay an annual escalating fee, and provide contact information for leasing inquiries.
 2. **Clear Vacancy Definitions** – Distinguish between commercial and residential vacancies, with exemptions for seasonal use, compliant short-term rentals and active renovations.
 3. **Maintenance & Security Standards** – Require upkeep of vacant properties, secure access, and prevention of blight.
 4. **Attractive Storefront Display Rules** – Ground-floor spaces must have art, displays, or other approved treatments—no empty windows or visible storage.
 5. **Regular Inspections** – Schedule periodic checks to confirm condition and vacancy status.
 6. **Community-Initiated Review Process** – Allow residents or business owners to request inspection of suspected vacant properties, with safeguards against abuse.
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Possible Future Additions

- **Economic Incentives** – Tax abatements, reduced fees, or matching grants for rehabilitating and leasing long-vacant properties.
- **Pop-Up and Temporary Use Program** – Village-supported matchmaking between property owners and local entrepreneurs/artists for interim uses.
- **Adaptive Reuse Incentives** – Streamlined approvals or bonuses for converting vacant upper floors to apartments or mixed-use space.

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- **Expanded Enforcement Tools** – Higher fines for chronic noncompliance, liens for unpaid fees, and cross-department coordination.
- **Seasonal-to-Year-Round Conversion Support** – Incentives to shift seasonal spaces into year-round occupancy.
- **Tenant Fit-Out Assistance** – Support for build-out costs that make spaces usable for small businesses.

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Key Features of the Proposed Amendments

A. Vacancy Registry

- Owners of vacant commercial and residential properties must register with the Building Department.
- Registration includes property details (owner contact, address, size, zoning, prior use, status).
- Publicly accessible registry promotes transparency and accountability.

B. Definitions of Vacancy

- **Commercial:** Considered vacant if unused for 12+ months or only sporadically open (<10 days per quarter).
- **Residential:** Considered vacant if no permanent resident for 12+ months (seasonal or short-term rentals in compliance are not “vacant”).

C. Registration Fees

- Annual fee starting at \$1,000, increasing by \$500 per year, capped at \$5,000.
- Fees support Village monitoring and maintenance oversight.

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D. Maintenance & Security Standards

- Properties must be secured and kept clean, safe, and presentable.
- Ground-floor commercial vacancies in the CR District must maintain attractive windows (e.g., signage, art displays, nonprofit partnerships).

E. Inspections & Enforcement

- Periodic municipal inspections verify compliance.
- Building Department may issue violations and fines; coordination with police, fire, and code enforcement.

F. Exemptions - Certain properties are not required to register, including:

- Properties under active construction or with pending approvals.
- Properties actively marketed for sale or lease (with proof).
- Seasonal use properties and government-owned parcels.
- Owner-occupied residences with occasional use.

G. Community Reporting

- Residents and businesses may request review of suspected vacant properties.
- Building Department must inspect within 30 days.
- Safeguards protect against false or frivolous complaints.

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DETAILED PROPOSED FRAMEWORK AMENDMENTS FOR VACANCY REGISTRY AND RELATED PROVISIONS

ISSUE/TERM	PROPOSED AMENDMENT/PROVISION
Vacancies	<p>Chapters 53 and 90 of Village Code to be revised as follows:</p> <ol style="list-style-type: none"> 1. Vacancy Registry. <ol style="list-style-type: none"> a. Registration Requirement. Property owners of vacant commercial and residential properties must register with the Village’s Building Department within a set time frame (e.g., 30 days) after the property becomes vacant or upon a change in ownership. b. Definition of Vacancy. <ul style="list-style-type: none"> • A commercial property shall be considered vacant if it is not actively occupied or open to the public for a permitted use or a conditional use approved for such commercial property for a continuous period exceeding twelve (12) months. Commercial spaces opened only intermittently for fewer than 10 business days in any calendar quarter or used primarily for storage, or limited or non-commercial activities, such as storing materials or equipment shall be deemed to be vacant for purposes of the registry. • A residential property shall be considered vacant it has been unoccupied by a lawful permanent resident for a continuous period of twelve (12) months or more; <i>provided</i> that a residential property shall not be deemed vacant if it is

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	<p>occupied on a seasonal or part-time basis by the owner or a lawful occupant or is lawfully being used as a short-term rental in compliance with Village Code.</p> <p>c. Property Information. The registry must include key information about the vacant property, including:</p> <ul style="list-style-type: none"> • Address of the property • Property type (commercial or residential) • Owner information (name, contact details) • Property status (vacant, temporarily vacant, for lease or sale) • Square footage, zoning district, and previous use of the property <p>d. Registration Fees. Owners of vacant properties shall be required to pay an annual fee for so long as the applicable property is required to be on the registry. The annual fee shall start at \$1000 and escalate by \$500 each year to an aggregate amount of not greater than \$5000 per year. The fee is intended to fund Village’s monitoring and any associated maintenance costs of vacant properties.</p> <p>e. Maintenance and Security Requirements. Owners must maintain vacant properties in accordance with local property maintenance standards, including:</p> <ul style="list-style-type: none"> • Securing the property (windows, doors, fences, etc.) • Ensuring proper upkeep of exterior appearance • Preventing the accumulation of debris, trash, or hazardous materials
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	<p>f. Vacant Commercial Window Display Standards. During any period in which a ground-floor commercial space is vacant in the CR District, all street-facing windows and display areas shall be maintained in a clean and attractive condition and shall include one or more of the following:</p> <ul style="list-style-type: none"> i. Professionally printed “For Lease” or “For Sale” signage not exceeding 8 square feet in size. ii. A temporary display of public art, murals or other decorative materials approved by the Village’s Business improvement District Board. iii. An installation or display coordinated with a local nonprofit, cultural organization or the business improvement district. <p>Windows shall not be used for the storage of goods, discarded furnishings, packing materials, or any other items that create an appearance of disuse. All displays shall be kept in good repair and shall not obstruct required transparency for safety and security purposes.</p> <p>g. Regular Inspections. Vacant properties must be inspected periodically (e.g., semi-annually or annually) by the municipality to ensure compliance with maintenance standards and to verify the vacancy status.</p> <p>h. Vacancy Exemptions. The following shall be exempt from vacancy registration requirement:</p> <ul style="list-style-type: none"> • Properties Under Active Renovation or Construction: Properties with permits for renovation or construction, where work is ongoing and expected to be completed within a defined time frame (e.g., 12 months).
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	<ul style="list-style-type: none"> • Residential Properties Held for Sale or Lease: Residential properties that are being actively marketed for sale or lease, with evidence of advertising and efforts to secure tenants or buyers. • Commercial Properties Held for Sale or Lease. Commercial properties that are being actively marketed for sale or lease, with evidence of advertising and efforts to secure tenants or buyers so long as, in the case of any such property located in the CR District, during the period between Memorial Day through Labor Day, such property is occupied by a “pop-up business” that is open for regular business to the public at least three (3) business days a week. • Seasonal or Temporary Vacancies: Properties that are temporarily vacant due to seasonal use (e.g., vacation homes, seasonal retail spaces) or temporary closure for less than six months. • Government-Owned Properties: Properties owned or managed by local, state, or federal government agencies, including those designated for public use or future development. • Properties with Approved or Pending Site Plan or Conditional Use Approvals: Properties where a site plan, conditional use or variance application has been submitted and is under review or has been approved but the property has not yet been developed. • Owner-Occupied Residences: Single-family homes or residential units that are vacant but owned by the same person who occasionally uses the property (e.g., seasonal occupancy by the owner). <p>i. Administration</p>
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	<p>i. Lead Agency – The Building Department shall be responsible for administering the Vacancy Registry, including:</p> <ul style="list-style-type: none"> • Maintaining and updating the registry • Conducting inspections to verify vacancy status and compliance with maintenance standards • Issuing notices of violation and assessing applicable fees or fines • Coordinating with other Village departments, boards, or committees as necessary <p>ii. Public Access – The registry shall be made publicly accessible to promote transparency and allow community members to report neglected properties or track the status of vacancies in the Village.</p> <p>iii. Enforcement Coordination – The Building Department may coordinate with the Southold Police Department, the Greenport Fire Department, Village Code Enforcement, or other relevant agencies to ensure vacant properties are maintained in compliance with applicable laws and do not pose safety, health, or nuisance concerns.</p> <p>j. Community-Initiated Vacancy Review – Any Village resident, business owner, or property owner may submit a written request to the Building Department that a specific property be reviewed for inclusion on the Vacancy Registry. Such request shall:</p> <ul style="list-style-type: none"> i. Identify the property by address;
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	<ul style="list-style-type: none"> ii. Describe the observed condition(s) indicating potential vacancy; and; iii. Include any supporting documentation, such as photographs or other evidence. <p>Upon receipt of a complete request, the Building Department shall, within thirty (30) days, inspect the property and determine whether it meets the definition of “vacant” under this chapter. If the property is determined to be vacant, the Building Department shall provide written notice to the owner in accordance with the procedures of this chapter and add the property to the registry.</p> <ul style="list-style-type: none"> k. Safeguard Against Abuse – Any person who knowingly submits a false or frivolous vacancy request may be subject to a civil penalty of up to \$250 per occurrence. This provision shall not be construed to penalize good-faith requests made on the basis of reasonable belief, even if the property is ultimately determined not to be vacant. <p>2. General Requirements: Review and update Chapters 53 and 90 the Code as necessary to ensure that requirements meet the following objectives:</p> <ul style="list-style-type: none"> • Prevent Blight and Deterioration: Prevent vacant properties from falling into disrepair, which can contribute to neighborhood blight. • Enhance Public Safety and Security: Ensure vacant properties are secured and well-maintained to prevent safety hazards, vandalism, or criminal activity. Proper security and maintenance help reduce risks such as fires, break-ins, or accidents from deteriorating structures. • Improve Community Aesthetics and Quality of Life: Ensure that vacant properties are well-maintained and, where possible, utilized for temporary or
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	<p>community-based purposes (e.g., gardens, markets, pop ups, community art projects) in order improve the visual appeal and overall atmosphere of neighborhoods, fostering a higher quality of life for residents.</p> <ul style="list-style-type: none"> • Ensure Fair Land Ownership and Accountability: Holding absentee owners accountable for the condition of their properties by requiring them to designate local property managers or register their properties encourages more responsible land ownership and reduces the risk of properties being neglected due to lack of oversight. • Enforcement and Fines. Review fines applicable in situations where there is noncompliance with requirements of Chapter 53 and 90 to ensure that they are adequate and sufficient to encourage compliance.
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Appendix A: Anticipated Community Concerns

In developing this preliminary framework, the Planning Board recognizes that proposed changes to vacancy policy may raise questions or objections from members of the community. To ensure transparency, the following anticipated concerns have been identified, along with the general approach reflected in the draft amendments. These points are intended to guide further discussion and refinement during consideration by the Board of Trustees and any additional steps taken to advance the proposed framework amendments or other matters set forth herein.

Intrusion on Property Rights

Concern: Requiring property owners to register vacant buildings, pay escalating fees, and allow inspections may be viewed as an undue intrusion on private property rights.

Response: The registry is limited to long-term vacancies (generally more than 12 months) and includes clear exemptions for seasonal use, active renovations, properties under active marketing, and owner-occupied residences. The purpose is not to penalize ownership, but to prevent blight, maintain safety, and promote community vibrancy where vacancies become prolonged. Registration ensures accountability without interfering with lawful seasonal, part-time, or transitional property use.

Economic Burden on Property Owners

Concern: Annual escalating fees and maintenance obligations may impose financial strain on owners, especially those already facing difficulties rehabilitating or leasing properties.

Response: The fees are intended to cover the Village's monitoring and enforcement costs, not to generate revenue. Exemptions apply where owners demonstrate active marketing or renovation efforts, ensuring the burden falls mainly on chronic vacancies with no demonstrated progress toward re-occupancy.

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Impact on Investment and Redevelopment

Concern: Stricter requirements could discourage investment or lead to owners abandoning properties.

Response: The framework is designed to encourage quicker re-occupancy and adaptive reuse, not deter investment. Provisions such as attractive window display rules, interim-use flexibility, and possible future incentives (e.g., tax abatements or fee reductions) are included to support owners who are actively working to restore occupancy.

Fairness and Equity

Concern: A registry may disproportionately affect certain owners (e.g., small landlords, heirs managing estate properties) while leaving others untouched.

Response: Standards are applied uniformly, with multiple exemptions to account for legitimate circumstances (seasonal use, pending sales, active renovations). Safeguards are also built in against frivolous complaints to ensure the system is applied fairly.

Administrative Intrusion and Enforcement

Concern: Regular inspections and public access to a registry could be perceived as excessive government oversight.

Response: Inspections are limited and scheduled (e.g., annually or semi-annually) to confirm condition and status. Public access promotes transparency but will be limited to key, non-sensitive information (e.g., address and vacancy status) while respecting privacy.

Aesthetic and Community Character

Concern: Vacancy display rules (e.g., requiring art, signage, or decorative treatments) could be seen as superficial or burdensome.

Response: These measures are intended to maintain an inviting streetscape and avoid long stretches of empty windows. The framework allows for multiple options, including simple signage, nonprofit collaborations, or temporary art, to give owners flexibility.

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