



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508
AND LIVE VIA ZOOM

Mayor Lee Kyriacou
Councilmember George Mansfield, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Justice McCray, Ward 2
Councilmember Wren Longno, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

**October 2, 2023
7:00 PM
City Council Agenda**

Roll Call

Workshop Agenda Items

1. [Fishkill Avenue Rezoning](#)
2. [Minimum Parking Requirements and Unit Square Footage Amendments](#)
3. [Appointment of Sofire Henry to the Position of Deputy City Clerk](#)
4. [Proposed Local Law No. 4 of 2023 Concerning the Proposed Rezoning of 6 Commerce Street](#)

Executive Session

[Executive Session \(Personnel\)](#)

City of Beacon City Council Agenda
10/02/2023

Title:

Fishkill Avenue Rezoning

ATTACHMENTS

[Draft Fishkill Avenue District Regulations](#)

[Draft Fishkill Avenue Map and Tables](#)

Article IVG. Fishkill Avenue District (FA)**§ 223-41.23. Purpose.**

The purpose of this Article IVG is to increase the marketability and environmental sustainability of the part of the City of Beacon along Fishkill Avenue (Route 52) from Memorial Park to north of the Mill Street intersection by **encouraging** options for mixed-use buildings **combined into a cohesive neighborhood with commercial uses**, residential development, **affordable housing**, enhanced landscaping, **pedestrian- and transit-friendly complete streets**, and traditional urban forms reinforced by design standards. The Fishkill Avenue District is also intended to integrate land uses with a **proposed new street connection to Matteawan Road and** a future rail-trail along the former railroad tracks and Fishkill Creek corridor, as recommended in the April 3, 2017 Comprehensive Plan Update.

§ 223-41.24. Applicability and boundaries.

A. The provisions of this article apply to the area shown as the Fishkill Avenue District (FA) on the City of Beacon Zoning Map. All new uses of land and structures in the FA District shall comply with this article, with the following additional provisions:

- 1) Existing nonconforming uses may continue as provided in § 223-10, Nonconforming uses and structures, except as may be otherwise provided in this article. Conforming residential uses existing on the effective date of this article shall be bound by the zoning of the subject property immediately prior to the enactment of the Fishkill Avenue District. Any existing conforming building that is destroyed by fire or casualty to an extent of more than 50% may be rebuilt on the same footprint and with the same dimensions and may be extended at the same height along its frontage. Any existing building that does not satisfy the minimum building height requirements in the district may continue and may be expanded at the same height, provided that it is in conformity with all other dimensional requirements in the district.
- 2) In order to encourage mixed uses, more than one permitted use shall be allowed on any lot or parcel, subject to all approval criteria contained herein.

B. In case of any conflict between this article and other provisions of this Zoning Chapter, this article shall control.

§ 223-41.25. Regulations.

A. Permitted uses in the FA District. Permitted principal uses, permitted accessory uses, and uses that need a special permit by the Planning Board are listed in the § 223-17 Schedule of Use Regulations, with the following additional provisions:

- 1) Permitted uses are subject to site development plan approval under § 223-25, except that site plan review shall not be required for a change of use in an existing building where the new use is allowed by right and the building will not be expanded.
- 2) Special permit uses are also subject to the provisions and conditions in § 223-18.
- 3) For any new construction of a principal building, an apartment use, multifamily dwelling unit, or the residential portion of an artist live/work space shall only be located on the upper stories or at least 50 feet behind the facade in the rear portion of the ground floor. Entirely residential buildings may be permitted by the Planning Board if the building includes two times the number of below-market rate units required in Article IVB, Affordable-Workforce Housing.
- 4) For permitted auto-oriented uses, including a gasoline filling station or drive-through facility, the accessory fuel pumps or drive-through window and lane shall be placed in a secondary location towards the rear or at least 40 feet from any property line that fronts on a street. Such auto-oriented uses shall also be screened by a low brick or stone wall, hedge, ornamental fence, and/or other landscaping that maintains the continuity of the street and th screens the use from public street and sidewalk views.

B. Dimensional regulations. All new construction or enlargement of existing structures in the FA District shall be subject to the § 223-17 Schedule of Dimensional Regulations, with the following additional provisions:

- 1) Building height: new buildings shall have a minimum of two stories, with the upper floor built in a manner that allows actual occupancy for one or more permitted uses and does not create the mere appearance of a second story. One-story accessory buildings to the rear of the principal building are permitted and one-story secondary sections set back at least 50 feet from the principal building façade are permitted.
- 2) Chimneys, vent pipes, mechanical systems, elevator shafts, antennas, wireless communications facilities, roof gardens and fences, greenhouses, solar collectors, wind energy systems, and other rooftop accessory structures may project up to 15 feet above the maximum height. With the exception of roof gardens and solar collectors, such projections may occupy no more than 20% of the roof area and must be set back at least 15 feet from the front edge of the roof.
- 3) New buildings shall not be more than 100 feet long in any direction, although the Planning Board may make an exception for large footprint retail uses, such as a grocery store.
- 4) A minimum of 15% of the lot shall be landscaped with trees, shrubs, or grass in locations approved by the Planning Board that enhance the streetscape or provide a landscaped

interior courtyard. This requirement may be reduced to 5% if the landscaped area is accessible to the public. These requirements may be waived for pre-existing lots of 5,000 square feet or less.

C. Parking facilities.

- 1) All off-street parking shall be located behind, underneath, or to the side of a building. If on the side, it shall be located at least 40 feet from any lot line that fronts on Fishkill Avenue and be screened by a low brick or stone wall, hedge, ornamental fence, and/or other landscaping that maintains the continuity of the street and that screens the parking lot from public street and sidewalk views.
- 2) Section 223-26B of this chapter shall not apply in the FA District.
- 3) The minimum quantity of required on-site parking spaces shall be as follows:
 - a) Residential: one space per unit.
 - b) Office and general commercial: 2.5 spaces per 1,000 square feet of floor area.
 - c) Retail commercial and personal services: three spaces per 1,000 square feet of floor area.
 - d) Other uses: as listed in § 223-26 of this chapter.
 - e) Any parking lot of 20 or more spaces shall have at least one electrical vehicle charging space, with at least one more charging space for every 20 additional parking spaces.
- 4) The quantity of required on-site parking above may be modified by the Planning Board, in its discretion, based upon information submitted by the applicant or otherwise made available to the Planning Board in the public record, demonstrating one or more of the following:
 - a) That the projected operational characteristics of the proposed use and/or its proximity within walking distance of regular public transit and other services justify a reduction in the required amount of parking.
 - b) That adequate shared parking, contractually obligated for the duration of the proposed use, is available within 500 feet of the site and in the FA District.
 - c) That the applicant has provided sufficient bicycle parking to reduce anticipated vehicular travel demand, as supported by a professional parking study.

- d) That there is sufficient public parking available within 800 feet of the site and in the FA District to meet foreseeable parking needs of the proposed use and surrounding uses for the duration of the proposed use.
 - e) That the applicant will voluntarily dedicate land for public parking on site or will acquire land by purchase or long-term lease (for the duration of the proposed use) within 800 feet of the site and in the FA District and voluntarily dedicate such land to the City for public parking.
 - f) That a professional parking study of the proposed use and the surrounding area demonstrates that a different amount of parking would be appropriate for the use in its particular location and/or that existing and/or proposed off-site parking is sufficient.
- 5) For small preexisting lots where the provision of on-site parking is not feasible, the Planning Board may waive up to 50% of the parking requirements, provided that the total floor area of the building is no greater than 3,000 square feet. The Planning Board may grant additional parking waivers, at its discretion, subject to an in-lieu payment of \$10,000 per parking space.

D. Streetscape improvements.

- 1) Planning Board should require the lot owner to provide planters, trees, shrubs, or other landscaping to enhance the appearance of the streetscape. Ornamental fencing four feet or less in height may be provided to separate privately owned space from public space. For commercial uses, display areas, and outdoor dining and seating areas may be provided.
- 2) A pedestrian clearway, at least five feet wide, with unobstructed space for pedestrian activity, shall be provided along the sidewalk, unless site conditions require a narrower clearway.
- 3) Within the street transition zone between the curb and front lot line, if space permits, lot owners may plant trees and place benches, tables, and outdoor seating areas with the approval of the Department of Public Works. The Planning Board may require the planting of street trees on average 30 feet to 40 feet apart as a condition of site plan approval.
- 4) The Planning Board may require that an applicant constructing a building greater than 10,000 square feet in floor area pay for the provision of related street improvements to improve pedestrian and/or bicycle safety.

E. Site plan and special permit amendments.

For any proposed change to an approved site plan, the applicant shall meet with the Building Inspector who shall make a determination as to whether or not the proposed change is significant. If the Building Inspector determines that the change is significant (e.g., a change of

use and/or a change in dimensions of more than 10% shall be presumed to be significant), the application shall be referred to the Planning Board for an amendment to the site plan or special permit, as appropriate. If the Building Inspector determines that the change is not significant and otherwise complies with applicable requirements, the Building Inspector is authorized to issue a building permit without further review.

F. Compliance with below-market-rate housing requirements.

All applications involving residential development shall comply with Article IVB of this chapter, Affordable-Workforce Housing.

G. Design standards.

Because of the design standards in this section, the architectural review provisions of Chapter 86 shall not apply within the FA District. In addition to the preceding sections of this article, all new buildings or substantial alterations of existing buildings shall comply with the following design requirements:

- 1) These design standards are intended to promote the following purposes:
 - a) Preserve and enhance the unique character of the City of Beacon.
 - b) Promote pedestrian access and activity, as well as a general sense of area security.
 - c) Restore and maintain the role of streets as civic and social spaces, framed by active uses.
 - d) Encourage economic development and a convenient mix of uses and services
 - e) Support a sense of design context that relates new redevelopment efforts to traditional urban forms and streetscapes, while still allowing contemporary architectural flexibility.
- 2) Standards using the verb "shall" are required; "should" is used when the standard is to be applied unless the Planning Board finds a strong justification for an alternative solution in an unusual and specific circumstance; and "may" means that the "standard" is an optional guideline that is encouraged but not required.
- 3) Buildings should have a top-floor cornice feature and first-floor architectural articulation, such as a storefront with a secondary cornice or an architecturally emphasized entrance doorway, to accent the central body of the building.

- 4) Architectural features and windows should be continued on all sides of the building that are clearly visible from a public street, sidewalk, parking area, or public access trail, avoiding any blank walls, except in cases of existing walls or potential common property walls.
- 5) Buildings should incorporate subtle breaks in the façade and window surrounds with projecting sills, lintels, or crowns to add some depth, shadow, and detail. Larger buildings shall incorporate significant breaks in the facades and rooflines at intervals of no more than 40 feet.
- 6) Building elements that provide additional architectural interest, such as bay windows, cornices, balconies, and porches, should be encouraged and may encroach up to four feet into required yards.
- 7) Metal, glass or canvas-type awnings and canopies or projecting signs should be encouraged. Vinyl awnings are discouraged unless the applicant can demonstrate to the Planning Board's satisfaction that the finish and design of such awning are of high quality, aesthetically pleasing and meet the intended standards of the district, as determined by said Board.
- 8) Buildings shall have a front entrance door facing the primary street and connected to the sidewalk. Front entrance doors for commercial buildings and retail storefronts shall be active and provide main access during business hours.
- 9) Primary individual window proportions shall be greater in height than in width, although the Planning Board may allow exceptions for storefront, transom and specialty windows. Mirrored, reflective, or tinted glass, all-glass walls, and exterior roll-down security gates shall not be permitted. Any shutters shall match the size of the window opening, appear functional, and be attached to the window frame.
- 10) Commercial buildings shall have at least 70% glass on the first-floor facades, located between two feet and 10 feet above the sidewalk. Residential buildings shall have at least 30% glass on the upper-floor facades.
- 11) Finish building materials should be wood, brick, stone or smooth cast stone, traditional cement-based stucco, or fiber-cement siding or other material deemed acceptable by the Planning Board. Vinyl, aluminum or sheet metal siding or sheet trim, exposed concrete blocks or concrete walls, plywood or other similar prefabricated panels, unpainted or unstained lumber, synthetic stone or brick, or synthetic stucco, exterior insulation and finishing system (EIFS), or direct-applied finish system (DAFS), as well as chain link, plastic, or vinyl fencing shall not be permitted.

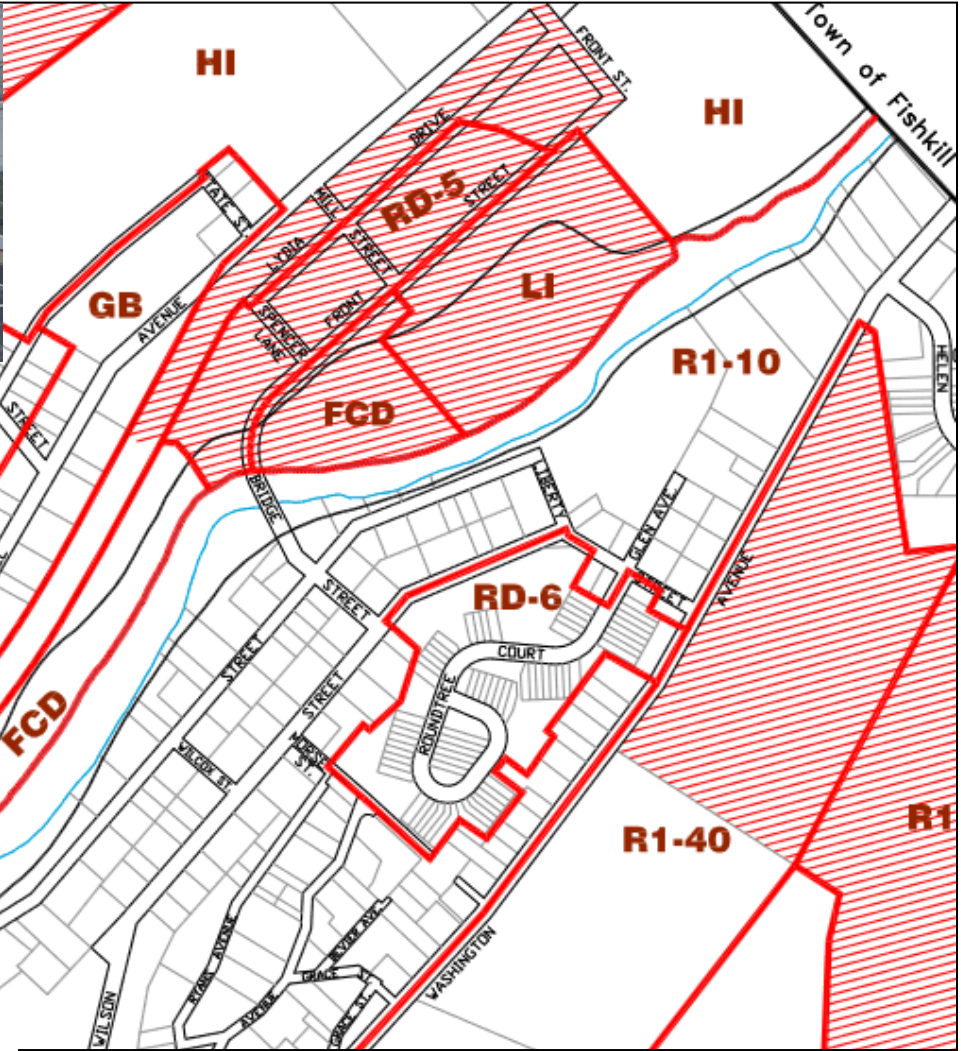
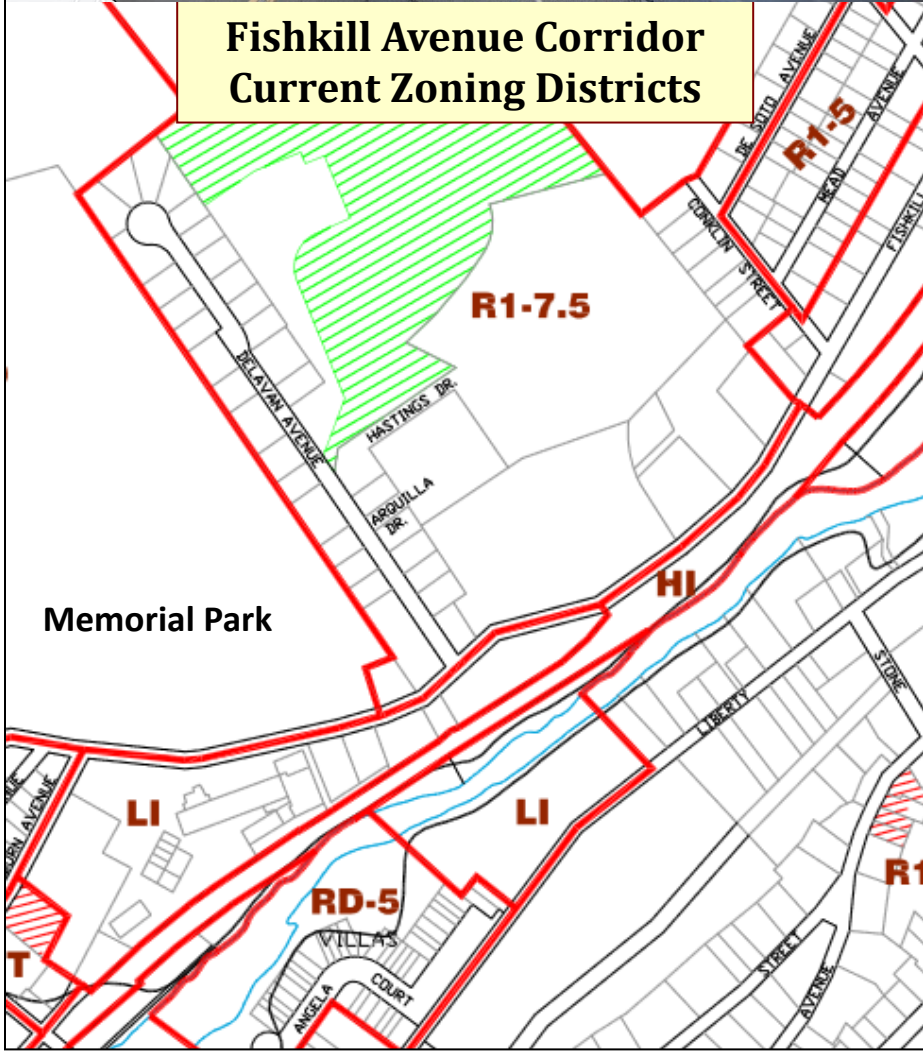
- 12) Fluorescent, neon, metallic, or other intentionally garish colors, as well as stripes, dots, or other incompatible patterns, shall be prohibited.
- 13) Lighting fixtures shall be a maximum of 15 feet in height, except pole lights in rear parking lots shall be a maximum of 20 feet high. All exterior lighting shall comply with the standards in §223-14B and shielded to prevent any light trespass onto adjoining rear properties.
- 14) Refuse containers shall be concealed from public view by approved architectural elements, fully contained to prevent the spread of trash and located toward the rear of the site. Ground-based mechanical equipment and rooftop equipment shall also be screened from public views.
- 15) The Planning Board may waive setback requirements for designated historic landmarks, as defined in Chapter 134, Historic Preservation, and civic buildings, including government buildings, schools, libraries, or places of worship, and for pedestrian-oriented places, such as public greens or plazas and outdoor eating areas.

H. Environmental standards

- 1) The approval of a Fishkill Creek development project is an action subject to the State Environmental Quality Review Act (SEQRA), and all proceedings to review such project shall comply with the applicable requirements of SEQRA.
- 2) Site development plans adjacent to the rail-trail right-of-way and Fishkill Creek shall be sensitive to the property's relationship with these important public features and developed in such a way as to protect any City-designated public views.
- 3) After soliciting comments from the Greenway Trail Committee, the Planning Board may require the establishment of a view or public access corridor from the sidewalks through the development to the rail-trail right-of-way, particularly at the Delavan, Conklin, Townsend, and Mill side street intersections. The rail-trail will be a recreational resource and provide an important alternative transportation connection to the city center and larger region.
- 4) A minimum 5-foot-wide buffer with plantings and/or fencing shall be required by the Planning Board along adjoining residential parcels or the rail-trail right-of-way for screening purposes and to avoid off-site impacts, such as headlights and snow plowing.
- 5) Stormwater drainage shall limit off-site runoff, consistent with New York State and City of Beacon best management practices.
- 6) All new buildings shall require a green roof, top-floor garden terrace, and/or rooftop solar panels with a highly reflective surface to minimize urban heat island effects.

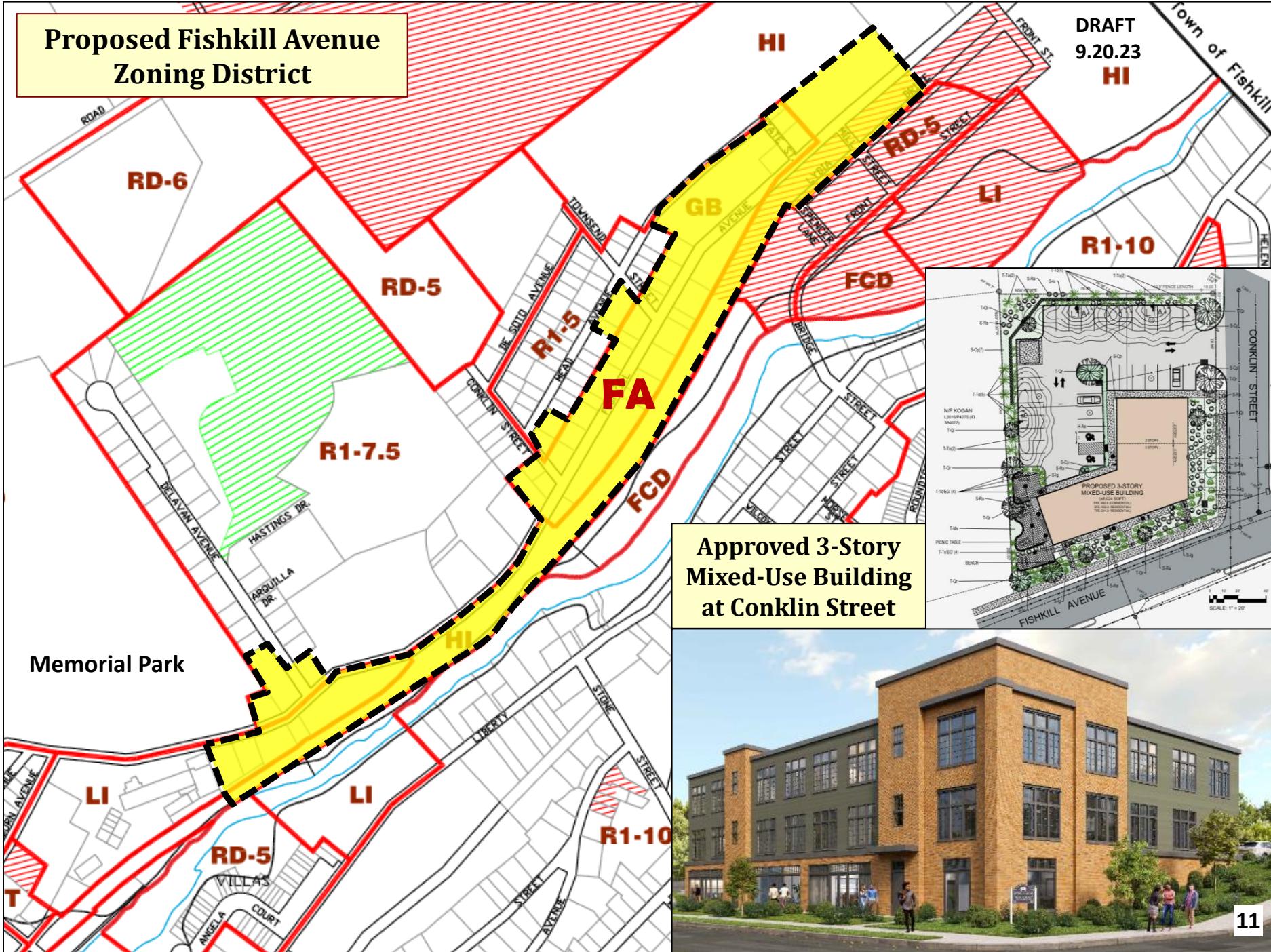


**Fishkill Avenue Corridor
Current Zoning Districts**

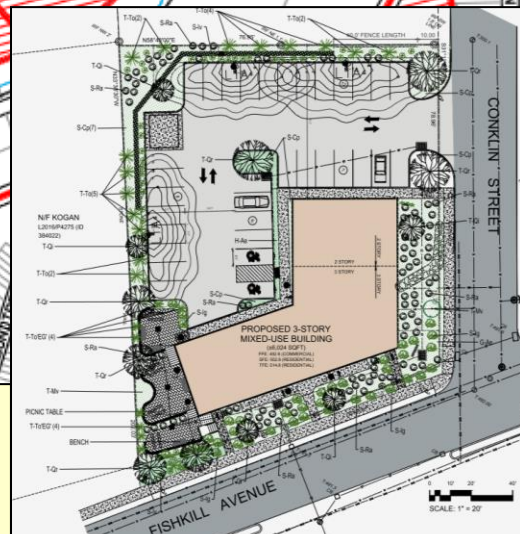


Proposed Fishkill Avenue Zoning District

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**Approved 3-Story
Mixed-Use Building
at Conklin Street**



Section 223-17, City of Beacon Schedule of Use Regulations (Suggested Edits)

Permitted Uses by District	Reference Notes	All R1	All RD	T	FA	GB	CMS	L	WD	WP	FCD	LI	HI
Residential													
One-Family Detached Dwelling		P	P	P	x	x	x	x	x	x	x	x	x
One-Family Attached/Semidetached	Including Townhouses	x	P	P	x	x	x	P	x	x	P	x	x
Two-Family Dwelling		x	P	P	x	x	x	x	x	x	x	x	x
Multifamily Dwelling	Including Apartments	x	SP*	P	P	P	P	P	P	x	P	x	x
Artist Live/Work Space	Subject to §223-14.2	x	x	P	P	P	P	P	P	x	P	P	x
Retail/Office/Service													
Retail, Personal Service, or Bank		x	x	x	P	P	P	P	P	x	x	P	x
Office		x	x	P	P	P	P	P	P	x	P	P	x
Artist Studio, Art Gallery/Exhibit Space		x	x	P	P	P	P	P	x	x	P	P	x
Funeral Home		x	x	x	P	P	x	x	x	x	x	P	x
Commercial Recreation, Indoor		x	x	x	P	P	P	x	x	x	x	P	P
Auction Gallery		x	x	x	P	P	x	x	x	x	x	P	P
Adult Use	Subject to §223-20.1	x	x	x	x	x	x	x	x	x	x	SP	x
Food/Lodging													
Restaurant or Coffee House		x	x	x	P	P	P	P	P	SP*	P	x	x
Bar/Brew Pub/Microbrewery/Microdistillery		x	x	x	P	P	P	P	P	x	P	P	P
Food Preparation Business		x	x	x	P	P	SP	SP	x	x	x	P	P
Short-term rental	Subject to §223-26.5	P	P	P	P	P	P	P	P	P	P	P	P
Bed and Breakfast	Subject to §223-24.4	SP	SP	SP	P	P	x	P	x	SP*	P	P	x
Inn		x	x	x	P	P	P	P	P	SP*	P	P	x
Hotel	Subject to §223-14.1	x	x	x	P	P	P	P	P	x	x	P	x
Social/Community													
Spa/Fitness Center/Exercise Studio		x	x	SP	P	P	P	P	P	x	P	P	x
Day Care Center		x	x	P	P	P	x	P	P	x	P	SP	x
Park, Preserve, Community Garden		P	P	P	P	P	P	P	P	P	P	P	x
Theater, Concert or Conference Space		x	x	x	P	P	P	P	P	x	P	P	x
Museum		SP*	SP*	SP*	P	P	P	P	P	x	P	P	SP
Place of Worship/Religious Facility		P	P	P	P	P	x	x	x	x	x	P	x
Social Club	Subject to §223-24.2	SP	SP	SP	SP	SP	P	x	x	x	x	SP	x
Government Facility		P	P	P	P	P	P	P	P	P	P	P	P
Golf Course		SP*	SP*	x	x	x	x	x	x	x	x	x	x
Healthcare													
Hospital or Nursing Home	Subject to §223-21.1 and 22	SP*	SP*	x	x	x	x	x	x	x	P	P	P
Animal Care Facility		SP	SP	x	SP	SP	x	x	x	x	x	SP	x
Educational													
College or University		SP*	SP*	x	P	P	P	P	x	x	P	P	P
Trade School or Training Program		x	x	x	P	P	P	P	x	x	P	P	P
Private School or Nursery School		SP	SP	SP	P	P	x	P	x	x	P	SP	x

x = Use Not Permitted

P = Permitted Use

SP=Special Permit Use by Planning Board

SP*=Special Permit Use by City Council

For Specific
Standards See -->

Article
IVD

Article
IVE

Article
IVA

Article
IVA

Article
IVC

9.12.23

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Section 223-17, City of Beacon Schedule of Use Regulations (Suggested Edits)

Permitted Uses by District	Reference Notes	All R1	All RD	T	FA	GB	CMS	L	WD	WP	FCD	LI	HI
Parking/Auto-Oriented													
Off-Street Parking or Parking Structure	Subject to §223-26	x	x	SP	SP	SP	SP	x	x	x	x	x	x
Vehicle Sales or Rental Lot		x	x	x	SP	SP	x	x	x	x	x	SP	x
Gas Filling Station and/or Car Wash	Subject to Ch. 210 & 223-21	x	x	x	SP	SP	x	x	x	x	x	SP	x
Auto Body or Repair Shop	Subject to Chapter 210	x	x	x	SP	SP	x	x	x	x	x	SP	x
Ambulance Service		SP	SP	SP	P	P	x	x	x	x	x	P	x
Industrial or Assembly													
Wholesale or Storage Business		x	x	x	P	P	x	x	x	x	x	P	P
Workshop		x	x	SP	P	P	P	P	x	x	P	P	P
Industrial or Manufacturing Use		x	x	x	SP	x	x	SP	x	x	P	P	P
Other													
Wireless Telecommunications Facility	Subject to §223-26.4	P	P	P	P	P	P	P	P	P	P	P	P
Small Cell Wireless Facility	Subject to §223-26.4	P	P	P	P	P	P	P	P	P	P	P	P
Farm		P	x	x	x	x	x	x	x	x	x	x	x
Horticultural Nursery		P	P	x	P	P	x	x	x	x	x	P	x
Historic District Overlay Use	Subject to §223-24.7	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
Permitted Accessory Uses (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)													
Accessory Apartment	Subject to §223-24.1	P	P	P	x	x	x	x	x	x	x	x	x
Private Tennis Court or Pool	Subject to §223-13	P	P	P	x	x	x	x	x	x	x	x	x
Home Occupation or Artist Studio	Subject to §223-17.1	P	P	P	x	x	x	x	x	x	x	x	x
Parking Structure		x	x	SP	SP	x	P	P	P	x	P	x	x
Garden, Roof Garden, or Greenhouse		P	P	P	P	P	P	P	P	P	P	P	P
Solar Collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P	P

x = Use Not Permitted

P = Permitted Use

SP=Special Permit Use by Planning Board

SP*=Special Permit Use by City Council

For Specific
Standards See -->

Article
IVD

Article
IVE

Article
IVA

Article
IVA

Article
IVC

9.12.23

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Zoning District	Minimum Lot Size ^h (See also § 223-12 I)				Minimum Yard ^a			Minimum Distance Between Buildings Same Lot	Maximum Height Main Building (see 223-13) (stories ft)	Maximum % Building Coverage		Maximum Number of Units per Building	Minimum Landscaped Area	Zoning District	Also Refer to Pertinent Sections
	Area (sf)	Per Unit (sf)	Width (ft)	Depth (ft)	Front (ft)	Side (ft)	Rear ^{d,e} (ft)			Multi-Family	All Other				
R1-120	120,000	120,000	250'	350'	70'	50'	75'		2.5 35'	N.A.	7%	1		R1-120	
R1-80	80,000	80,000	150'	200'	45'	30'	50'		2.5 35'	N.A.	10%	1		R1-80	
R1-40	40,000	40,000	150'	150'	35'	25'	50'		2.5 35'	N.A.	15%	1		R1-40	
R1-20	20,000	20,000	125'	125'	25'	20'	40'		2.5 35'	N.A.	20%	1		R1-20	
R1-10	10,000	10,000	85'	100'	20'	15'	35'		2.5 35'	N.A.	25%	1		R1-10	
R1-7.5	7,500	7,500	75'	100'	15'	10'	25'		2.5 35'	N.A.	30%	1		R1-7.5	
R1-5	5,000	5,000	50'	100'	10'	10'	20'		2.5 35'	N.A.	40%	1		R1-5	
RD-7.5 ^{d,e}	2 acres	7,500	200'	200'	20-35'	25'	50'	30'	3 35'	15%	20%	12		RD-7.5 ^{d,e}	
RD-6 ^{d,e}	2 acres	6,000	200'	200'	50'	25'	50'	30'	2.5 35'	15%	20%	16		RD-6 ^{d,e}	
RD-5 ^{d,e}	5,000	5,000	50'	100'	30'	10'	25'	30'	3 35'	20%	30%	16		RD-5 ^{d,e}	
RD-4 ^{d,e}	5,000	4,000	200'	200'	40'	20'	40'	30'	2.5 35'	20%	25%	20		RD-4 ^{d,e}	
RD-3 ^{d,e}	5,000	3,000	50'	100'	30'	20'	25'	30'	3.5 45'	20%	40%	24		RD-3 ^{d,e}	
RD-1.8 ^{d,e}	5,000	1,800	50'	100'	30'	20'	25'	30'	10 ^b 100'	25%	40%	c		RD-1.8 ^{d,e}	
RD-1.7 ^{d,e}	5,000	1,700	50'	100'	30'	20'	25'	30'	4.5 ^f 55 ^f	25%	40%	36 ^g		RD-1.7 ^{d,e}	
T	5,000	i	50'	100'	10'	10'	20'		2.5 35'	-	40%			T	
FA				100'	10'	10'	20'		- 35'				15%	FA	
GB		1,500		100'	10'	10'	20'		- 35'				15%	GB	
CMS				75'	0-10'	0'	20'		3 38'				10%	CMS	Art IVD
L				75'	0-20'	0-30'	25'		4 48'				15%	L	Art IVE
FCD	2 acres	3,960							3 40'	35%			30%	FCD	Art IVC
WP	1 acre				10'				2.5 35'	20%				WP	Art IVA
WD	5 acres								See Art IVA				15%	WD	Art IVA
LI		1,500	60'	100'	20'	20'	25'		- 35'	70%			20%	LI	
HI			60'	100'	30'	20'	25'		- 40'	70%			20%	HI	

- a A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.
- b But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.
- c But not more than 24 units in any building 3 1/2 stories or less in height.
- d For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.
- e In any RD district, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguard to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, **recreation or other purposes will be properly maintained for the intended purpose(s) and not further subdivided in the future.**
- f A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories [Added 2-16-2010 by L.L. No. 2-2010]
- g And each building shall not exceed 150 feet in length. [Added 2-16-2010 by L.L. No. 2-2010]
- h For all development proposals involving a total lot area of more than three acres within a R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development very steep slopes of 25 percent or more as defined in § 223-63.
- i One-half the minimum lot size area per dwelling unit as the least restrictive adjoining residential district.

City of Beacon City Council Agenda
10/02/2023

Title:

Minimum Parking Requirements and Unit Square Footage Amendments

ATTACHMENTS

[Draft Parking Regulation Amendments](#)

[Draft Unit Square Footage Amendments](#)

§ 223-26 Off-street parking, loading and vehicular access. DRAFT 9.28.23

A. General.

- 1) ~~All structures and land uses hereafter erected, enlarged, created or extended shall be provided with the amount of off-street automobile parking space and loading and unloading space required by the terms of this section to meet the needs of persons making use of such structures or land.~~ A permit for the erection, replacement, reconstruction, extension or substantial alteration of a structure or the development of a land use shall not be issued unless off-street automobile parking facilities and, where ~~required~~ appropriate, loading and unloading spaces ~~shall have been laid out in plan in accordance~~ are consistent with the ~~appropriate requirements for structures and uses as set forth~~ provisions in this section, ~~and such required parking and loading facilities shall be completed before a certificate of occupancy shall be issued. As used herein, "parking facilities" shall be construed to include loading and unloading spaces required by this section.~~
- ~~2) In case of exceptional difficulty or unusual hardship to such properties arising out of the requirements of this section, the Board of Appeals may reduce the parking requirements but shall require such degree of compliance as it may deem reasonable for that part of the structure or use that is legally nonconforming and shall not waive any part of the requirement for that part of the structure or use that constitutes an enlargement or expansion and shall not permit reduction or elimination of whatever quantity of parking may already exist, unless it is in excess of requirements.~~
- ~~3) 2) Required~~ Off-street parking facilities which, after development, are later dedicated to and accepted by the City shall be deemed to continue to serve the uses or structures for which they were originally provided.

~~B. Effect on existing uses.~~

- ~~1) Structures and land uses in existence on April 20, 1964, or structures and uses for which building permits had been approved on or before said date, shall not be subject to the requirements set forth in this section, unless there shall occur an increased intensity of use, provided that any parking facilities now existing to serve such structures or uses shall not in the future be reduced, except where they exceed such requirement, in which case they may not be reduced below such requirement.~~
- ~~2) Whenever a building or structure erected prior to or after April 20, 1964, or any land use shall undergo any increase in intensity of use in the number of dwelling units, floor area, seating capacity, number of employees or other unit of measurement specified hereinafter for required parking facilities, or from other causes, and further when said increase would result in a requirement for additional parking facilities through application of the Schedule of Off Street Parking Requirements (Subsection F), additional parking facilities shall be provided accordingly, except that no building or structure erected prior to said date shall be required to provide parking facilities unless the aforesaid additional required facilities amount to a cumulative total increase of at least 25% over the existing use as of~~

~~said date, in which case parking spaces shall be provided on the basis of the total units of measurements of the new use or of the alteration or expansion of the existing use.~~

~~C.~~ B. Location, use, design, construction and maintenance.

[Amended 5-19-2014 by L.L. No. 6-2014; 5-15-2017 by L.L. No. 7-2017]

- 1) Location. ~~The~~ Any off-street parking facilities ~~which are required by this section~~ shall be provided on the same lot or premises with such structure or land use; except that off-street parking spaces ~~required~~ for structures or land uses on two or more adjoining lots may be provided in a single common facility on one or more of said lots, provided that a binding agreement, in a form approved by the Corporation Counsel, assuring the continued operation of said parking facility during the life of the structure or the land use the parking is designed to serve, is filed on the land records prior to approval of the plans for said parking facility.
- 2) In any residence district, no designated off-street parking facility shall be developed in any ~~required~~ front yard forward of the principal building, except as approved by the Building Inspector or Planning Board for an unusual lot configuration. Nor shall any residence district off-street parking facility be developed in any ~~required~~ minimum side or rear yard setback adjacent to a street line or in any other side or rear yard within five feet of the lot line. However, off-street parking spaces shall be permitted in residential districts as indicated in § 223-17C.
- 3) ~~(2)~~ Parking specifications.
 - a) Each parking space provided in an unenclosed area shall be at least nine feet wide and at least 18 feet long, except that the Planning Board, in approving a plan under § 223-25, may permit that portion of the total ~~required~~ parking which is specifically set aside for and limited to employee parking to have a width of at least 8 1/2 feet and a depth of at least 18 feet. This possible exception shall not be permitted in the CMS District. [Amended 6-15-2020 by L.L. No. 7-2020]
 - b) Each parking space which is bordered by walls or columns on two or more sides shall be not less than 10 feet wide nor less than 18 feet long. Enclosed or garaged parking areas shall not contain any columns, walls or other obstacles which would prevent or obstruct the use of any parking space.
 - c) The maneuvering area needed to permit parked vehicles to enter and exit off-street parking spaces shall have a width of at least 24 feet, except where the Planning Board approves a lesser distance as adequate for areas with parallel or angled parking spaces.
- 4) ~~(3)~~ Landscaping. Except for parking spaces accessory to a one-family dwelling, all off-street parking areas shall be landscaped with appropriate trees, shrubs and other plant materials and ground cover, as approved by the Planning Board based upon consideration of the adequacy of the proposed landscaping to assure the establishment of a safe,

convenient and attractive parking facility with a minimum amount of maintenance, including plant care, snowplowing and the removal of leaves and other debris.

- a) At least one tree with a minimum caliper of three inches at a height of four feet above ground level shall be provided within such parking area for each 10 parking spaces.
 - b) Wherever possible, planting islands, at least eight feet in width, shall be provided to guide vehicle movement and to separate opposing rows of parking spaces so as to provide adequate space for plant growth, pedestrian circulation and vehicle overhang. Such planting islands and the landscaping within them shall be designed and arranged in such a way as to provide vertical definition to major traffic circulation aisles, entrances and exits, to channel internal traffic flow and prevent indiscriminate diagonal movement of vehicles and to provide relief from the visual monotony and shadeless expanse of a large parking area.
 - c) The Planning Board may require curbing to facilitate surface drainage and prevent vehicles from overlapping sidewalks and damaging landscaping materials.
 - d) No obstruction to driver vision shall be erected or maintained on any lot within the triangle formed by the street line of such lot, the outer edge of the access driveway to the parking area and a line drawn between points along such street line and access drive ~~30~~ 25 feet distant from their point of intersection.
- ~~(4)~~ (5) Grades, drainage, paving and marking. All proposed and ~~required~~ approved parking facilities, regardless of size, shall be graded, surfaced, drained and maintained throughout the duration of their use so as to comply with the New York State Stormwater Management Design Manual, as amended from time to time, and/or Chapter 190, Stormwater Management and Erosion and Sediment Control, of this Code, or other acceptable stormwater management practice(s), as deemed suitable to the City Engineer to the extent necessary to avoid nuisances of dust, erosion or excessive water flow across public ways or adjacent lands. The drainage analysis for said parking facilities shall include pre- and post-development conditions as well as remediation and/or mitigation of stormwater runoff. The maximum slope within a parking area shall not exceed 5%. In RD Districts and in nonresidential developments, the Planning Board shall require the provision of suitable markings to indicate individual parking spaces, maneuvering area, entrances and exits. [Amended 6-15-2020 by L.L. No. 7-2020]
- ~~(5)~~ (6) Traffic circulation. In order to encourage safe and convenient traffic circulation, the Planning Board may require the interconnection of parking areas via access drives within and between adjacent lots. The Board shall require written assurance and/or deed restrictions, satisfactory to the Corporation Counsel, binding the owner and his heirs and assignees to permit and maintain such internal access and circulation and inter-use of parking facilities.
- ~~(6)~~ (7) Two or more uses on same lot. Where two or more different uses occur on a single lot, ~~the total amount of parking facilities to be provided shall be the sum of the requirements~~

~~of each individual use on the lot, except that~~ the Planning Board may approve the joint use of parking space by two or more establishments on the same lot or on contiguous lots, the total capacity of which is less than the sum of the spaces ~~required~~ needed for each, provided that said Board finds that the capacity to be provided will substantially meet the intent of this article by reason of variation in the probable time of maximum use by patrons or employees at such establishments and provided that such approval of such joint use shall be automatically terminated upon a change of use at any such establishment.

~~(7)~~ (8) Designed residence and multifamily residence districts. [Amended 6-15-2020 by L.L. No. 7-2020]

- a) In RD Districts, in order that some of the ~~required~~ parking spaces may be convenient for use by visitors as well as by occupants, 2/3 of the ~~required~~ car spaces for a residential building shall, whenever possible, be directly accessible to a main entrance to that building and within 100 feet of that entrance.
- b) In RD Districts, off-street parking lots shall be located behind, underneath, or to the side of the building, whenever possible. Any parking to the side of the building shall be screened from street views by a low wall, hedge, fence, and/or other landscaping and, whenever possible, it shall be located at least 40 feet from any property line that fronts on a street.

~~(8)~~ (9) Off-street parking for private passenger vehicles may be allowed by a special permit from the Planning Board on a vacant lot in a residential district which has a shared parcel line for at least 20 feet with a commercial or industrial district, provided that the off-street parking shall be on a portion of the lot within 200 feet of the commercial or industrial district and that the use shall not include fee-based parking for railroad commuters. [Added 10-3-2022 by L.L. No. 10-2022]

~~D.-~~ C. Alternatives to providing parking spaces. [Amended 6-15-1992 by L.L. No. 5-1992]

- 1) Conveyance of land. Where, because of limitations of size, dimensions or topography of a lot, an applicant for a building permit in a business district finds it impractical to provide all or a portion of the off-street parking spaces required by Subsection F herein the Planning Board, in connection with a proposed building or addition, ~~he the applicant~~ may grant and convey to the City of Beacon, and the City Council, at its discretion, may accept, appropriately located and developed land for commercial parking as a permitted use equivalent, provided that said land is permanently dedicated to the City. [Editor's Note: Former Subsection D(2), Fee in lieu of waived parking, as amended, which immediately followed, was repealed 4-7-2008 by L.L. No. 4-2008.]
- 2) Waiver of improvement. Except within the Central Main Street District, and notwithstanding any other provision of this chapter, the City Council or Planning Board, in reviewing plans submitted in accordance with the provisions of this section or § 223-18 or 223-25, may waive the initial improvement of up to 50% of the ~~required~~ off-street

parking spaces, provided that all of the ~~required~~ spaces are shown on the proposed plan and further provided that suitable agreements, satisfactory to the City Council or Planning Board, are obtained assuring the City that the property owner(s) will be responsible for the construction of such waived spaces, or any portion thereof, within six months of the date such spaces may be deemed necessary by the City Council or Planning Board. [Amended 7-6-2004 by L.L. No. 13-2004; 2-19-2013 by L.L. No. 3-2013; 6-15-2020 by L.L. No. 7-2020]

~~F. D. Schedule of Off-Street Parking Requirements Standards. Off-street parking spaces shall be provided as follows, except that the Board of Appeals may modify these provisions as a condition of the issuance of a special permit according to the provisions of § 223-19. In order to promote walkability and other transportation alternatives and to avoid excessive automobile traffic and unnecessarily large paved parking lots, no minimum number of off-street parking spaces are required, except for a minimum of one off-street parking space for each 1- or 2-family dwelling. The Planning Board shall determine the appropriate number of on-site parking spaces as part of site plan approval and based on the context of the property, including but not limited to the size of the parcel, proposed uses, existing buildings on the parcel, especially if they are designated as historic, availability of public and street parking in the area, walkable access to public transit, a professional parking study with demand reduction strategies prepared by the applicant, and input from any public hearing. The following table indicates the maximum parking that should be allowed, but the Planning Board may require substantially fewer spaces:~~

Use	Minimum <u>Maximum</u> Off-Street Parking
1- and 2-family dwelling	2 spaces <u>3 spaces</u> for each dwelling unit
Multifamily dwelling and/or apartment or artist live/work space [Amended 8-6-2001 by L.L. No. 12-2001]	1 space for each dwelling unit, plus 1/4 space for each bedroom, plus 1/2 space for each live/work space containing retail area
Professional home office or home occupation permitted in a residential district [Amended 6-15-2020 by L.L. No. 7-2020]	2 spaces in addition to spaces required for the residential use, except that there shall be a maximum 4 spaces for each medical or dental practitioner in addition to spaces required for the residential use
Bed-and-breakfast establishment [Amended 3-18-2002 by L.L. No. 9-2002; 6-15-2020 by L.L. No. 7-2020]	1 space for each guest sleeping room, plus 2 spaces for the dwelling unit, plus 1 space for each nonresident employee
Hotel or inn [Amended 6-15-2020 by L.L. No. 7-2020]	Subject to § 223-14.1C- <u>1 for each hotel guest room, plus 1 for each employee on site at any one time</u>
Place of worship, theater, auditorium, athletic field or other place of assembly	1 space for each 4 seats or pew spaces or, in places or, in places without seats, 1 space for each 100 square feet of floor space used for public assembly

Use	Minimum <u>Maximum</u> Off-Street Parking
Nursery school or day-care center [Added 3-18-2002 by L.L. No. 10-2002]	1 per employee plus 1 per classroom
Primary or secondary school [Added 3-18-2002 by L.L. No. 10-2002]	1 per employee plus 1 per 5 students in the 11th grade or above, or 1 per 4 assembly seats, whichever is greater
Dance, art, tutorial, martial arts or similar instructional school [Added 11-4-2002 by L.L. No. 29-2002]	1 space for each 150 square feet of gross floor space
Hospital, nursing home, convalescent home or home for the aged	1 space for each 3 resident persons, plus space for each employee, including medical, nursing and service staff employed at the same time when the building is operating at full capacity
Golf and country club	1 space for each 2 memberships
Bowling alley or other place of indoor commercial recreation or public amusement [Amended 7-6-2004 by L.L. No. 13-2004; 6-15-2020 by L.L. No. 7-2020]	5 spaces for each bowling lane; all others, 1 space for each 4 persons of maximum occupancy or 1 space for each 200 square feet of gross floor area, whichever is greater
Retail or service business, including auction gallery [Amended 2-18-1992; 6-21-1999 by L.L. No. 14-1999]	1 space for each 200 <u>250</u> square feet of gross floor area, excluding utility areas
Restaurant or coffee house [Amended 7-6-2004 by L.L. No. 13-2004; 5-2-2005 by L.L. No. 2-2005]	1 space for each 3 patron seats or 1 space for each 150 <u>200</u> square feet of gross floor area, excluding kitchen and storage areas, whichever is greater
Office for business or professional use (other than accessory to residential use) [Amended 6-21-1999 by L.L. No. 14-1999]	1 space for each 200 <u>300</u> square feet of gross floor area, excluding utility areas
Banking office [Amended 6-21-1999 by L.L. No. 14-1999]	1 space for each 200 <u>300</u> square feet of gross floor area, excluding utility areas
Funeral home or undertaking establishment [Amended 6-15-2020 by L.L. No. 7-2020]	10 spaces per establishment, plus 1 space per employee

Use	Minimum <u>Maximum</u> Off-Street Parking
Motor vehicle sales and service	1 space per employee, plus 1 space per 150 square feet of gross floor space
Animal care facility [Amended 6-15-2020 by L.L. No. 7-2020]	1 space per employee, plus 1 space per 300 square feet of gross floor space
Car washing establishment	Subject to § 223-21F <u>1 space per each two persons working at the same time at full capacity or 1 space for each 400 square feet of gross floor area, whichever is greater</u>
Research or development laboratory	1 space per employee, but not less than 1 space per 600 square feet of gross floor space
Manufacturing or industrial use	1 space per 2 employees but not less than 1 space per 400 square feet of gross floor space
Wholesale, warehouse storage, utility or other similar commercial use [Amended 9-19-2022 by L.L. No. 9-2022]	1 space per employee but not less than 1 space per 1,000 square feet of gross floor space
Self-storage facility [Added 9-19-2022 by L.L. No. 9-2022]	1 space per 10,000 square feet of gross floor space, plus one space per employee
Senior housing [Added 3-22-1982; amended 6-15-2020 by L.L. No. 7-2020]	2 spaces for each 3 dwelling units
Museums located within walking distance (3,000 feet) of entrance to train station [Added 2-7-2000 by L.L. No. 5-2000; amended 5-2-2005 by L.L. No. 2-2005; 6-15-2020 by L.L. No. 7-2020]	1 parking space per 3,000 feet of gross floor space
Artist studio [Added 6-16-2003 by L.L. No. 6-2003]	1 space for each 500 square feet of gross floor space
Art gallery/exhibit space [Added 5-2-2005 by L.L. No. 2-2005]	1 space for each 250 square feet of gross floor area
Bar or brew pub [Added 5-2-2005 by L.L. No. 2-2005]	1 space for each 3 patron seats or 1 space for each 50 square feet of gross floor area, excluding kitchen and storage areas, whichever is greater

Use	Minimum <u>Maximum</u> Off-Street Parking
Microbrewery or microdistillery [Added 5-2-2005 by L.L. No. 2-2005; amended 5-19-2014 by L.L. No. 8-2014]	1 space for each employee on the largest shift, plus 1 space for each 3-patron sitting or standing spaces in any tasting room or other visitor facility open to the general public
Museum [Added 5-2-2005 by L.L. No. 2-2005]	1 space for each 300 <u>500</u> square feet of gross floor area
Other uses not listed Amended 5-2-2005 by L.L. No. 2-2005]	Off-street parking requirements for types of uses which do not fall within the categories listed above shall be determined by the Planning Board upon consideration of relevant factors entering into the parking needs of each such use

~~(1) Notwithstanding § 223-26F above, with respect to lots which, on the effective date of this section, are located wholly or partially within 2,500 feet of the train station platform, the City Council shall have the authority to limit the amount of parking to be provided for multifamily and nonresidential development projects on said lots having a parking requirement in accordance with § 223-26F of 25 spaces or more, in the interest of appropriately and reasonably minimizing the environmental impact of the project's vehicular traffic accessing the train station. In such cases, the City Council shall ensure that convenient pedestrian access is provided by the project, or is otherwise available between the project and the train station. Where a substantial change in elevation exists between the project and the train station, the City Council may require the project to provide, if deemed feasible by the Council, an elevator, escalator, stairs and/or other similar pedestrian conveyance or access for such purpose. [Added 6-7-2010 by L.L. No. 8-2010]~~

G. Operation and maintenance of off-street parking facilities. ~~Required~~ Approved off-street parking facilities shall be maintained as long as the use of the structure exists which the facilities are designed to serve. ~~Required~~ Designated parking areas developed for specific structures and uses shall be reserved at all times to those persons who are employed at or make use of such structures and land uses, except when dedicated to and accepted by the City as public parking areas.

H. Off-street loading requirements. Off-street loading and unloading facilities shall be located on the same site with the use to be served, except as provided in Subsection ~~C~~ B(1), and shall be provided as follows:

- 1) Size. Each off-street loading space shall be at least 14 feet in width, at least 35 feet in length and at least 14 feet in height, exclusive of access and turning areas, except that adjacent loading spaces may be each 12 feet in width.
- 2) ~~Required n~~Number of spaces. ~~The Planning Board shall determine the appropriate number of on-site loading spaces as part of site plan approval and based on the context of~~

the property, including but not limited to the size of the parcel, proposed uses, existing buildings on the parcel, a professional parking study prepared by the applicant, and input from any public hearing.

- ~~a) For retail and/or service business establishments: a minimum of one space for the first 7,500 square feet or major portion thereof, plus one space for each additional 10,000 square feet of gross floor area or major portion thereof, except that no berths shall be required for buildings with a gross floor area of less than 5,000 square feet.~~
- ~~b) For office establishments: a minimum of one space for the first 20,000 square feet of gross floor area or major portion thereof, plus one space for each additional 40,000 square feet of gross floor area or major portion thereof, except that no berths are required for buildings of less than 10,000 square feet of gross floor area.~~
- ~~c) For research establishments: a minimum of one space for the first 12,000 square feet of gross floor area of building or major portion thereof, plus one space for each additional 20,000 square feet of gross floor area or major portion thereof.~~
- ~~d) For wholesale business, industry, storage, warehouses and other commercial establishments: a minimum of one space for each establishment, plus one space for each 10,000 square feet of gross floor area or major portion thereof.~~
- ~~e) For nursing homes: a minimum of one space for each establishment.
[Added 12-21-1998 by L.L. No. 17-1998[2]] Editor's Note: This local law also provided for the renumbering of former Subsection H(2)(e) as Subsection H(2)(f).~~
- ~~f) For museums, a minimum of one space for each establishment.
[Added 2-7-2000 by L.L. No. 4-2000[3]] Editor's Note: This local law also provided for the renumbering of former Subsection H(2)(f) as Subsection H(2)(g).~~
- ~~g) Other uses which do not fall within the categories listed above shall be determined by the City Council and adopted as an amendment to this section.~~

I. Driveways. For reasons of traffic and pedestrian safety, both on and off street, as well as to provide for possible future road widening or other improvements, all new driveways and sidewalk crossings entering onto any street shall comply with all requirements of Chapter 100, Driveways, and shall be subject to the approval of the Highway Superintendent, except where such are part of a use subject to special permit or site development plan approval, in accordance with §§ 223-18 and 223-25, in which case they shall be subject to approval by the Planning Board and/or City Council. [Amended 9-4-2018 by L.L. No. 16-2018]

§ 223-14.2 Artist live/work spaces.

A. Development standards.

(1) An artist live/work space may exist on the first floor of a structure only if the appearance and use of the live/work space on the street side is consistent with the nature of the permitted uses in the surrounding area. For example, if the surrounding area is retail in nature at the first-floor level, the live/work space shall be restricted to retail on the street side of the first floor, ~~and said street side space shall be large enough, in the opinion of the Building Inspector, to support a typical retail enterprise.~~

(2) Each artist live/work space and its various components shall be physically separate and distinct from other live/work spaces and other uses within a particular building. The sharing of artist live/work spaces by multiple tenancies, components thereof or utilities shall not be permitted. However, access to live/work spaces may be provided from common access areas, halls or corridors.

(3) Each artist live/work space must be individually equipped with an enclosed bathroom containing a sink, toilet, shower or tub and appropriate venting.

(4) Each artist live/work space must be individually equipped with a kitchen consisting of a sink, nonportable stove, oven and refrigerator.

~~(5) Each artist live/work space must contain a floor area of no less than 800 square feet, of which a minimum area shall be devoted to the following: 35 square feet for an enclosed bathroom, 60 square feet for a kitchen, and 120 square feet for a sleeping area.~~

~~(6)~~ (5) No more than ~~30%~~ 50% of the floor area of the artist live/work space may be devoted to residential space.

~~(7)~~ (6) Direct access between living and working areas must be provided.

~~(8)~~ (7) In order to ensure that the use is consistent with the other commercial uses, artist live/work spaces shall not be used for classroom instructional uses with more than two pupils at any one time; the storage of flammable liquids or hazardous materials; welding; or any open-flame work. Further, the work in the live/work space shall be so conducted as not to cause noise, vibration, smoke, odors, humidity, heat, cold, glare, dust, dirt or electrical disturbance which is perceptible by the average person located within any other residential or commercial unit within the structure or beyond any lot line.

~~(9)~~ (8) Not ~~more than one person who is 18 years of age or older may reside within an artist live/work space per 300 square feet of residential floor area. Further, not~~ more than two persons who are at least 18 years of age, of which at least one of whom is an artist in residence, and not more than two children of said persons who are under 22 years of age may reside within a live/work space on a year-round basis.

~~(10)~~ (9) Only one nonresident employee may be employed within an artist live/work space. This requirement may be waived for live/work spaces that provide retail space on the first floor.

~~(44)~~ (10) Other than in a first-floor retail-oriented area, articles offered for sale within a live/work space must include those produced by the artist residing in said live/work space and may be offered with other like items.

~~(42)~~ (11) One flush-mounted, nonilluminated sign, with a maximum area of two square feet, attached adjacent to or near the street entrance door to the live/work space may be used to identify the artist. This sign may list only the name of the artist with a one- or two-word description of the type of artwork or craft that is to be conducted within the live/work space. Where two or more live/work spaces occur within the same building, the signs must be placed in an orderly fashion in relation to each other and must be part of a coherent directory in which signs are ordered in a horizontal fashion. Where five or more live/work spaces are developed within one building, an interior directory sign shall be located in lieu of individual signs on the building exterior.

~~(43)~~ (12) Residential space and work space shall not be rented separately or used by persons other than those people legally residing within the artist live/work spaces and permitted nonresident employees.

~~(44)~~ (13) No artist live/work space shall serve as a place from which commercial vehicles are dispatched or operated.

~~(45)~~ (14) All live/work spaces shall conform to all applicable building codes.[1] Editor's Note: See Ch. 119, Uniform Fire Prevention and Building Code.

~~(46)~~ (15) For the purposes of this permitted use, artists shall only be those persons working exclusively with paint, paper, clay and/or other soft materials, and this use shall include photography, jewelry making, graphic arts and other similar relatively quiet endeavors as determined by the City Council in reviewing the proposed special use permit application. Tattoo applicers, body piercers and musicians shall not be considered artists for the purpose of this use.

~~(47)~~ (16) Renewal inspections. Each artist live/work space shall be inspected by the Building Department every two years in order to determine whether the artist live/work space remains in compliance with this section. Upon a satisfactory inspection report, the artist live/work space owner shall be reissued a certificate of occupancy for two additional years. If the Building Inspector determines that the artist live/work space is not in compliance, the building owner or manager shall have 60 days in which to rectify all noncomplying elements and shall apply for reinspection with the Building Department, subject to an additional fee. If all such noncomplying elements are not rectified within the above-specified time frame, the certificate of occupancy for the use shall expire and the use as authorized by the special permit shall be terminated. [Added 9-19-2005 by L.L. No. 11-2005; amended 3-18-2013 by L.L. No. 6-2013]

[2] Editor's Note: Former Subsection B, regarding procedures for special permits, which immediately followed this subsection, was repealed 3-18-2013 by L.L. No. 6-2013. Section 4 of this local law provided as follows: "Any artist live-work space that failed to comply with the prior language of § 223-24.3B shall have six months from the effective date of this local law to renew its special permit by complying with new § 223-24.3A(18) and (19) and existing Subsection A(17) and any other applicable provision of the City Code. Failure to do so shall result in the expiration of the special permit and the use as authorized by the special permit shall be terminated."

~~(18)~~ (17) The owner of the live/work space shall file a certification with the Building Department every two years, and at any point in time when there is a change in ownership or a change in the use of the space, on a form provided by said Department, which certifies that the live/work space is in conformance with the Zoning Chapter and the special permit, and that the residential portion of the space has not been expanded beyond a maximum of ~~30%~~ 50% of the floor area of the live/work space, as required by Subsection A~~(6)~~(5) above. [Added 3-18-2013 by L.L. No. 6-2013]

~~(19)~~ (18) The deed, offering plan, certificate of occupancy and/or rental agreement, as appropriate, for each artist live/work space shall contain language, satisfactory to the City Attorney in form and substance, which states that the subject dwelling is an artist live/work space as defined in § 223-63 of the Zoning Chapter of the Code of the City of Beacon, New York, and is subject to all restrictions and limitations as set forth in said chapter and the approval resolution(s), including the requirement for a certification with the Building Department in accordance with § 223-~~24.3A~~(18) 223-14.2A(17). Proof of recording of the deed shall be provided to the Building Department within 60 days after the conveyance. [Added 3-18-2013 by L.L. No. 6-2013]

ARTICLE IVF

Senior Affordable Housing Overlay (SAHO) District

[Added 11-19-2012 by L.L. No. 23-20121]

§ 223-41.22. Specific requirements and regulations.

- A. Intent and purpose. The Senior Affordable Housing Overlay District is established to create affordable housing opportunities for seniors in the City of Beacon ~~and to provide for the adaptive reuse of older buildings in the City.~~ It is the intent and purpose of this article to establish a framework for the development of affordable housing units for seniors, to ensure that such development provides a minimum of services and facilities to accommodate resident needs, to encourage the adaptive reuse of older buildings in the City, and to minimize detrimental effects on surrounding properties.
- B. General provisions.
- (1) A Senior Affordable Housing Overlay District designation is created by legislative action of the City Council in the form of a zoning amendment including the amendment of the City's Zoning Map. Properties eligible for such a designation are those within the City's residential zoning districts as well as in the Waterfront Development (WD) and Fishkill Creek Development (FCD) Districts. ~~A senior affordable housing project must involve the adaptive reuse of an existing building which is at least 50 years old and must additionally meet the general requirements and design criteria set forth herein.~~
 - (2) A Senior Affordable Housing Overlay District designation by the City Council adds a "senior affordable housing project" as an additional use on the property, subject to all of the requirements herein. Such use is in addition to, and does not replace the other uses permitted by, the subject property's underlying zoning district.
 - (3) In a Senior Affordable Housing Overlay District, no building, structure, premises or part thereof

shall be used or occupied as a senior affordable housing project, and no building or structure shall be erected, enlarged, converted or altered for such purpose, except as provided in this article, and as specifically provided in the terms of the ~~special permit and~~ site plan approval issued for such use.

C. Permitted uses. In addition to the uses permitted in the subject property's underlying zoning district, the following uses are also permitted within a Senior Affordable Housing Overlay District:

(1) Principal uses ~~permitted by special permit. The following uses are~~ permitted in a Senior Affordable Housing Overlay District, subject to ~~special permit approval by the City Council and~~ site plan approval from the Planning Board:

(a) Senior affordable housing project, consisting of a combination of ~~affordable~~ studio/efficiency, one-bedroom and two-bedroom dwelling units for the occupancy of senior households. ~~Notwithstanding the sentence immediately above, one dwelling unit may be occupied by a project superintendent or manager and his/her family.~~

(2) Accessory uses. The following accessory uses are permitted in a senior affordable housing project:

(a) Buildings and facilities which are reasonably necessary to meet the proper maintenance, administration, security, off-street parking, storage, fencing and utility system needs of the development.

(b) The following accessory uses are permitted, provided that such facilities are restricted in their use to residents of the development and their guests:

[1] Meeting rooms, multipurpose rooms, lounges, lobby areas, laundry rooms, or other similar common spaces.

[2] Game rooms, art and craft rooms, workshops, jacuzzis, exercise rooms, libraries or other similar indoor recreation or leisure facilities.

[3] Outdoor sitting areas, game areas, walking trails or other similar outdoor recreation or leisure facilities.

[4] One dwelling unit may be occupied by a project superintendent or manager and his/her family.

(c) Such other uses as may be customarily incidental to the senior affordable housing project.

D. Density; building modifications; lot and bulk requirements.

(1) Maximum and minimum density. The maximum number of dwelling units in a senior affordable housing project shall not exceed ~~four~~ 29 units per ~~gross~~ acre of lot size, subject to the requirements in footnote "h" of the Schedule of Dimensional Regulations, Section 223-17. In addition, said project shall contain a minimum of 20 10 dwelling units. ~~[Note to the City Council: This would equate to a building having at least approximately 8,000 square feet of floor area.]~~

- (2) Building modifications. The senior affordable housing project ~~may shall consist primarily of the adaptively reuse of an existing building whose primary portion is over 50 years old.~~ The City Council, ~~either may~~ in its zoning designation ~~or in its special permit,~~ may authorize modifications to the existing building to enhance its adaptive reuse for senior affordable housing. ~~including, for example, modification of the roofline to better accommodate residential units, provided that in no event shall the existing height of the building be increased by more than eight feet, and modification of the line of outer walls to accommodate better layout and light and air for dwelling units, or for the inclusion of additional common spaces. Authorized additions to the building(s) shall not exceed 10% of the gross floor area of the building(s).~~ Exterior alterations shall comply with any applicable requirements for a certificate of appropriateness under Chapter 134 of the Code. ~~In no event shall a senior affordable housing project include any new freestanding buildings housing residential units. The City Council may authorize the construction of outbuildings for accessory functions, such as garages, an exterior generator, maintenance shed(s), and the like.~~
- (3) Lot and bulk requirements. ~~Except for Unless~~ building modifications are authorized by the City Council in its zoning designation ~~or special permit,~~ the building, including any additions or modifications, shall meet the lot and bulk requirements in the underlying zoning district in which the property is located, except for existing noncomplying situations.

E. Supplementary site regulations.

- (1) Parking ~~ratio. Unless modified by the City Council in its zoning designation or special permit, parking spaces shall be provided at the ratio of 1.2 spaces per dwelling unit. The 0.2 fractional space shall be accumulated for staff and visitors~~ The number of parking spaces shall be based on the provisions in Section 223-26.
- (2) Outdoor recreation. Usable outdoor recreation space shall be provided at the ratio of 50 square feet per dwelling unit. Such space shall consist of both active and passive recreation amenities such as patio areas, shaded sitting areas, and walking or jogging trails.

F. Dwelling requirements.

- (1) The following requirements shall apply to multifamily dwellings located in a senior affordable housing project:
- (a) Laundry. ~~Self-service laundry~~ facilities (washers and dryers) adequate to serve the occupants of the development shall be provided and maintained.
- (b) Indoor community space. A common lobby at the building entrance and other indoor community space and related equipment shall be required to provide social and recreational opportunities for project occupants. Included may be such facilities as game rooms, meeting rooms, dining rooms, exercise rooms or other space for active or passive recreation. ~~Such space, exclusive of a common lobby, hallways and basements, shall be provided at the rate of no less than 15 square feet per studio/efficiency or one-bedroom unit and 25 square feet per two-bedroom dwelling unit.~~

- (c) Barrier-free access. All multifamily dwellings shall provide barrier-free access ~~and, at a minimum, doors shall be three feet wide, thresholds shall be flush with the floor, and ramps or elevators shall be provided~~ so that all areas of the structure are accessible ~~to the physically handicapped, consistent with the Americans with Disabilities Act.~~

~~G. Unit requirements.~~

- ~~(1) Minimum gross floor area. Notwithstanding other provisions of this chapter, the minimum gross floor area per dwelling unit shall not be less than the following:~~

~~(a) Studio/efficiency unit: 350 square feet.~~

~~(b) One-bedroom unit: 600 square feet.~~

~~(c) Two-bedroom unit: 750 square feet.~~

- ~~(2) Unit amenities; handicap facilities.~~

~~(a) Amenities. All dwelling units shall be designed for independent living and shall contain full bathroom and kitchen facilities, including but not limited to a sink, refrigerator, stove, range or combined unit in the kitchen, and a sink, toilet, bathtub or roll-in shower in the bathroom.~~

~~(b) Handicap adaptable. Fifteen percent of all dwelling units shall be handicap adaptable.~~

~~(c) Handicap accessible. One hundred percent of all dwelling units shall be handicap accessible.~~

~~H. G. Affordability.~~

- ~~(1) All units affordable. All~~ At least 50% of the units in a senior affordable housing project must be ~~one hundred percent designated~~ affordable as provided in this article.

- ~~(2) Eligible households. To be eligible to buy or rent an affordable dwelling unit in a senior affordable housing project, a household's gross annual income from all sources, inclusive of actual income from assets or imputed income from assets, whichever is higher, shall not exceed 100% 70% of the Dutchess County median annual income for its household size [based on the United States Census and as updated by the Department of Housing and Urban Development (HUD)], and which income allows the household to meet the maximum rent and sales price standards set forth below~~
~~in Subsection H G(3).~~

- ~~(3) Maximum rent and sales price.~~

~~(a) Rent. The monthly rent including utilities for an affordable unit in a senior affordable housing project shall not exceed 30% of a figure representing 100% 70% of the Dutchess County annual median income for the maximum size household that may occupy such unit as set forth in Subsection H H(3) below.~~

~~(b) Sales price. The maximum gross sales price for a unit in a senior affordable housing project~~

shall not exceed a figure based upon a maximum household expense of ~~40%~~ 30% of a figure representing ~~100%~~ 90% of the Dutchess County annual median income for the maximum size household that may occupy such unit as set forth in Subsection ~~I~~ H(3) below, relating to the sum of principal, interest, taxes and insurance, based on industry-standard mortgage underwriting guidelines, prevailing interest rates, and a ~~three-percent~~ 5% down payment.

- (4) Restriction on resale or re-lease of units. The resale or re-lease of affordable housing units in the Senior Affordable Housing Overlay District shall be restricted in the same affordable manner as the initial sale or lease specified in this section.

~~I~~ H. Occupancy restrictions. Occupancy of dwelling units within a senior affordable housing project shall be for residential purposes only. Occupancy shall be limited to households as defined and described below.

- (1) Age restriction. All of the residing occupants within a senior affordable housing project shall be at least ~~62~~ 60 years of age.
- (2) Guests. Temporary occupancy by guests of households who reside in a senior affordable housing project shall be permitted, provided that such occupancy does not exceed a total of 30 days in any calendar year. Under no circumstances shall short-term rentals be allowed.
- (3) Occupancy standards. The minimum and maximum occupancy of a dwelling unit shall be as follows:

<u>Number of Bedrooms</u>	<u>Minimum Number of Persons</u>	<u>Maximum Number of Persons</u>
Studio/efficiency	1	2
1	1	2
2	1	3

- (4) Primary residence. Each dwelling unit must be the primary residence of the household.

~~I~~ I. The deed, certificate of occupancy and/or rental agreement, as appropriate, for each affordable dwelling unit in the senior affordable housing project shall contain language, satisfactory to the City Attorney in form and substance, which states that the subject dwelling is a senior affordable housing unit as defined in Article IVF of the Code of the City of Beacon, New York, and is subject to all restrictions and limitations as set forth therein. In addition, said project shall have a regulatory agreement regarding the affordable nature of the project with a state and/or federal agency which runs with the land for a thirty-year period. A copy of the annual audit(s) by the regulatory agency(ies) shall be submitted to the City.

~~K~~ J. Procedure for approvals for senior affordable housing.

- (1) Application. The application for a Senior Affordable Housing Overlay District designation shall be submitted to the City Council. The application shall consist of narrative text, drawings and/or illustrations describing the proposed project. All application materials, including plans, shall be submitted in electronic file format acceptable to the Building Department, in addition to at least five paper copies (or such other format or amount as determined by the Building Department), at least two weeks prior to the City Council meeting at which it will be considered.

Drawings shall be submitted approximately to scale, but need not be to the precision of a finished engineering drawing or a final site plan. The application shall include the following:

[Amended 4-21-2014 by L.L. No. 1-2014]

~~(a) Documentation that the primary portion of the building(s) in which the proposed senior affordable housing project will be located is at least 50 years old. A building which is at least 50 years old shall be eligible notwithstanding that such building contains modifications or additions that are less than 50 years old.~~

~~(b)~~ (a) A written description of the senior affordable housing project, and description of the manner in which such proposal meets the purposes of the Senior Affordable Housing Overlay District; how it is consistent with the City of Beacon Comprehensive Plan; and the manner in which the public interest would be served by the proposed Senior Affordable Housing Overlay District designation and project, including a description of the benefits to the City.

~~(c)~~ (b) A concept plan showing the proposed land use and its spatial arrangement, including the general location of the existing buildings, any proposed accessory buildings, parking areas, public, community and/or recreation facilities, utility and maintenance facilities and open space, including:

[1] An indication of the approximate square footage of building(s), the approximate number of dwelling units of each bedroom type and size, and the approximate amount of floor area of each type of accessory use.

[2] An indication of the appropriate number of parking and loading spaces in relation to their intended use.

[3] A general indication of any phasing of construction.

[4] The general configuration of the interior road system, connection/access to the adjoining road system, and an analysis of the need for and the feasibility of providing emergency access.

[5] A plan showing the relation of the proposed use to existing uses adjacent to the site.

[6] The general configuration of the pedestrian circulation system and the connection of such pedestrian passageways to adjoining properties.

[7] Descriptions, sketches, sections and elevations showing the general architectural treatment and design scheme contemplated for the entire development.

[8] Such additional information as the City Council may deem necessary in order to properly evaluate the application.

(2) City Council review of Senior Affordable Housing Overlay District designation application.

(a) Environmental compliance.

[1] The approval of a Senior Affordable Housing Overlay District designation, and the special permit and site plan reviews are actions subject to the State Environmental Quality Review Act (SEQRA), and all proceedings to review such approvals shall comply with the applicable requirements of SEQRA.

[2] Upon receipt of an application for a Senior Affordable Housing Overlay District, the City Council shall commence a coordinated review under SEQRA and institute lead agency procedures after identifying all involved and interested agencies, as provided by law. The coordinated SEQRA review shall address the impacts of the entire action, including the zoning designation and the potential impacts of the project development.

(b) City Council referrals.

[1] The City Council shall refer the application for a Senior Affordable Housing Overlay District designation to the Planning Board for a report and recommendation. The Planning Board shall review all documents and materials relating to the application and shall render a report to the City Council and may make any advisory recommendations it deems appropriate. The report of the Planning Board shall be due 62 days from the referral by the City Council, unless extended by the City Council.

[2] Other referrals. The City Council shall comply with any applicable provisions of General Municipal Law §§ 239-l, 239-m and 239-nn. In addition to any referrals required by law, the City Council may refer the application to any other City board, department, official, consultant or professional it deems appropriate.

(c) City Council public hearing. The City Council shall hold a public hearing, with the same notice required by law for zoning amendments on the application for a Senior Affordable Housing Overlay District designation.

(3) City Council decision on Senior Affordable Housing Overlay District. The City Council shall render a decision on the application for a Senior Affordable Housing Overlay District after it has held the required public hearing herein, and after the lead agency has made the requisite SEQRA determination of significance and, where appropriate, that appropriate findings have been made.

~~L. K. Special permit and s~~ Site plan approval. In addition to the zoning designation by the from the City Council, a senior affordable housing project requires ~~special permit approval from the City Council in accordance with § 223-18 and~~ site plan approval from the Planning Board in accordance with § 223-25 of this chapter. ~~The City Council may, in its discretion, hold its hearing(s) on the special permit application simultaneously with its hearing(s) on the overlay district designation. The Planning Board may, in its discretion, hold its hearing(s) on the site plan application simultaneously with its hearing(s) on the special permit application.~~

~~M. L.~~ Conformity to overlay district project required. The ~~City Council and the~~ Planning Board shall not approve any ~~special permit or~~ site plan, ~~respectively~~, for a senior affordable housing project unless the ~~Council and~~ Board finds that the project is in substantial conformance with the project which served as the basis for the approval of the Senior Affordable Housing Overlay District designation, and with any conditions imposed at the time of said designation. A project which is not in\ substantial conformance would require an amended overlay district designation.

~~N.~~ M. Application fees. Applications to the City Council and Planning Board as provided herein shall be accompanied by the appropriate fees which may be set from time to time by the City Council for such applications. If such fees are not sufficient to defray the costs of review, the applicant shall also be required to pay such additional fees as may be necessary for the reasonable expenses of professional assistance to the City in reviewing the technical aspects of the application.

~~Θ.~~ N. Implementing regulations. The City Council may, by resolution, adopt specific regulations to foster the efficient and equitable implementation of this article.

City of Beacon City Council Agenda
10/02/2023

Title:

Appointment of Sofire Henry to the Position of Deputy City Clerk

ATTACHMENTS

[Sofire Henry Resume](#)

[City Clerk Memorandum in Support of the Appointment of Sofire Henry to the Position of Deputy City Clerk](#)

SOFIRE HENRY



QUALIFICATIONS

Experienced business professional with accreditations as a Assistant Manager,Administrative Assistant, Legal Assistant, Pharmacist Technician and NHA Phlebotomist & Data Analyst. I am also a freelance Graphic Designer with 5+ years experience in the design process creating visual concepts and layouts of artworks. Which includes print designs, logos, brand icons, posters, business cards, flyers, CD covers, photo edits and commissions. Utilizing graphic softwares and freestyle drawing to create and communicate art ideas that inspire, inform, or captivate the clients experience. Proficiency in Adobe Creative Suite PhotoShop, InDesign, Illustrator, Digital Photography Microsoft Office and Excel.

RELEVANT SKILLS & EXPERIENCES

ADMINISTRATIVE

Protiviti- Central Hudson G&E MBS Billing Clerk Poughkeepsie, NY 2023

- ❑ Performed duties such as researching and analyzing PSC cases and SAP tickets for Central Hudson Gas & Electric Corporation.
- ❑ Implemented data input and corrections, updated clients files, assisted on client's request and complaints, while working alongside with the customer service department CSR's.
- ❑ Accountant analysis on clients contract accounts by overseeing and reviewing payment history, credits, charges, bills, usage, verifying accounts and data corrections.
- ❑ Worked with Excel software to generate spreadsheets using formulas and mathematic equations
- ❑ Configured detailed spreadsheets/layouts on clients bills for example payments, billing cycles, charges, ESCO's accts, budget balances, payment agreements, discrepancies & bank reconciliations.
- ❑ Created invoices and correspondence letters such as Usage History Tickets SOP to be mailed out.
- ❑ Used programs such as SAP, Excel, Microsoft Word, Power Link and Teams; to look within each case compliant and tickets description to identify which bills/accountants customers are requesting to be reviewed, itemized, fixed and edited.

R&G Brenner Tax & Accounting Administrative Office Assistant Jefferson Valley, NY 2023

- ❑ Assist clients how to create an account, upload documents and verify online accounts.
- ❑ Office Assistants answer and direct calls, appointments scheduling and greets visitors.
- ❑ Assist Tax Preparers with preparing clients tax returns using RMS & Drake Tax softwares.
- ❑ Certified Refund Anticipation Loan/Check Facilitator with NY Tax & Finance Department.
- ❑ Performs routine clerical tasks such as data entry, and/or word processing work as assigned.
- ❑ Office Assistant handles organizational and administrative duties which includes placing orders, sending email correspondence to clients, generates tax receipts and takes payments.

Lassiter and Associates LLC. Paralegal/Receptionist/Legal Assistant Philadelphia, PA 2004-2005

- ❑ Arranged client interviews and updated pertinent cases information.
- ❑ Researched state and federal sites and cases regarding statutes, codes, and judgments.
- ❑ Assisted with summons, client intakes, managed legal invoices, maintained calls, messages, emails and attorney schedules.
- ❑ Performed general duties such as document retrieval, completed expense reports, bookkeeping and typed correspondence letters.

CUSTOMER SERVICE

The Medicine Shoppe Fishkill, NY 2022. (Sister Pharmacy) **Millbrook Pharmacy** Pharmacist Technician Millbrook, NY 21-22. **CVS Pharmacy** Pharmacist Technician Newburgh, NY 2020-2021
Rite Aid Pharmacy Pharmacist Technician Beacon, NY 2017-2020

- ❑ Prescription interpretation, data entry and drug selection.
- ❑ Retrieve and health insurance information for billing and processing claims.
- ❑ Process new and refill prescriptions authorized from doctors offices permitted by state law.
- ❑ Create prescription labels, prepare viles and reconstitute oral liquids permitted by state law.
- ❑ Assist in inventory management which includes orders logs, inventory returns and restocking.
- ❑ Performed computer entry of prescription information such as patient and prescriber search and PHI.
- ❑ Basic mathematical knowledge such as equation solving, and counting for accuracy of measurements.

Ziatun Inc. Hostess/ Waitress Beacon, NY 2016-2017

- ❑ Prepared organic drinks and hot beverages.
- ❑ Handled transactions and takeout orders with registers.
- ❑ Experienced in catering and setting up events in the dining/showrooms.
- ❑ Serve, wait and take guests orders while communicating with kitchen staff.
- ❑ Hostess greets and seats guests and receptionists answer phones and also take online orders.

Armani Exchange Lead Ambassador Central Valley, NY 2013-2015

- ❑ Assist clients with the latest fashion and newest trends.
- ❑ Lead Cashier in charge of register control and register training.
- ❑ Greet and alert the clients with the current promotions and sales.
- ❑ Accommodated clients needs with professional customer service.

SUPERVISION

Titan Armored Cars & Couriers Vault Clerk/Processor Newburgh, NY 2011-2012

- ❑ Cross- trained as a money processor.
- ❑ Acquired pistol permit while employed at Titan.
- ❑ Separated checks and cash into database software.
- ❑ Trained incoming staff on procedures and money management.
- ❑ Verified the vault every night implementing dual control to ensure the contents of each bank vault is protected and currency is accounted for accuracy.

Wet Seal Inc. Assistant Manager Poughkeepsie, NY 2006-2008

- ❑ Extensive experience training staff up to 30 employees.
- ❑ Opened and closed registers, prepared tills and deposits for the bank.
- ❑ Reviewed, assessed and approved marketing materials and daily goals.
- ❑ Execute and create floor plans, displays and visual merchandising windows.
- ❑ Prepared data entry everyday into sales ledger, manage conference calls and emails.
- ❑ Conducted manager and employee meetings and training on loss prevention my D.O.R.

EDUCATION

- ❑ S.U.N.Y Orange County Community College Middletown, NY 2015 Graduated Spring 2018.
Degree in Visual Communications Technology: Graphic Arts Design/Print A.A.S. Honors
- ❑ Dutchess County Boces Poughkeepsie NY NHA Phlebotomist Technician Certified 2017.
- ❑ S.U.N.Y Dutchess Community College Poughkeepsie, NY 2008- 2009 Paralegal Studies.
- ❑ S.U.N.Y New Paltz University New Paltz, NY 2002-2003 Business Administration.



CITY OF BEACON New York

Amanda C. Caputo
City Clerk

845-838-5003 phone
845-838-5012 fax

To: Mayor Kyriacou and City Councilmembers
From: Amanda C. Caputo, City Clerk
Date: September 26, 2023
Re: Appointing Sofire Henry to the position of Deputy City Clerk

Please accept this recommendation to appoint Sofire Henry to the position of Deputy City Clerk within the City Clerk's Office in the City of Beacon.

Ms. Henry has held numerous positions in customer service focused industries since 2004. Along with customer service experience, Ms. Henry is familiar with records management practices and proficient in various software programs. As for her educational background, she has obtained multiple certificates and an A.A.S. degree.

After reviewing all the qualified candidates and interviewing four candidates, I believe Ms. Henry is best suited for the position. Between her ability to connect with clients and her experience with detail-oriented data entry, Ms. Henry's skillset is impressive and will be an ideal fit into the Deputy City Clerk position.

Thank you for your consideration.

Amanda C. Caputo
City Clerk

City of Beacon City Council Agenda
10/02/2023

Title:

Proposed Local Law No. 4 of 2023 Concerning the Proposed Rezoning of 6 Commerce Street

ATTACHMENTS

6 Commerce Street - Applicant Letter

6 Commerce Street - City Planner Memorandum

6 Commerce Street - Tax Map

6 Commerce Street - Rezoning Map

Proposed Local Law No. 4 of 2023 Amending the Zoning of the Property at 6 Commerce Street

6 Commerce Street - Planning Board Memorandum

6 Commerce Street - Dutchess County Planning Response

6 Commerce Street - Short EAF Part 1

Hudson Todd
4 Cross St, Beacon, NY 12508

March 31, 2023

Mayor and City Council
1 Municipal Plaza
Beacon, NY 12508

Re: Change in Zoning Designation for 6 Commerce St

Dear Mayor Kyriacou, Councilmembers Rhodes, McCray, Longno, Aymar-Blair, Mansfield, and Wake:

We are writing to request a change of zoning for the property located at 6 Commerce St. ... from the current designation of R1-7.5 to designation as Central Main Street (CMS) zone.

6 Commerce St has a varied history and the current R1-7.5 zone reflects only its use in recent years as a single-family residence. Other properties on this (North) side of Commerce St carry the Central Main Street (CMS) zone designation, except for the parcel at 5 Cliff St. property, which is in the Transition (T) zone and used for surface parking. A change to CMS designation for 6 Commerce St would be consistent with adjoining properties, allow compatible and supportive uses, and contribute to the vitality of Beacon's Main St. commercial corridor.

The R1-7.5 residential properties across Commerce Street to the south are not in appreciable dialogue with 6 Commerce, as they are well separated via elevation differences, landscaping, and building orientations. However, the entire immediate neighborhood around 6 Commerce is in the Central Main Street (CMS) zone. The building shares outdoor space, trash and utility services, and parking with its directly adjoining neighbors – all of which are in CMS with their accompanying CMS uses, e.g retail, hospitality, food and bev on the ground floor with rental apartments above

We have been speaking with multiple local individuals and businesses that are interested in renting 6 Commerce. They propose uses that include professional office, café, retail, etc ... all permitted uses in the CMS and are uses these business owners believe would thrive in this location.

Thank you very much for your consideration of this request. We would be very happy to follow with more information and to continue the conversation to whatever extent is helpful and necessary.

Sincerely,

Joe Donovan



To: Mayor Kyriacou and the Beacon City Council
From: John Clarke, City Planner
Date: June 1, 2023
Re: **Rezoning Request for 6 Commerce Street**

In a May 31, 2023 letter to the Mayor and City Council, the property owner of 6 Commerce Street requested a rezoning from R1-7.5 to the Central Main Street (CMS) district. While the Council has no obligation to consider this type of zoning request, in this case the proposed rezoning to CMS has some merit.

The 0.05-acre parcel with an existing 2½-story building does not meet the minimum 7,500 square feet required for a conforming lot in the R1-7.5 district. It was apparently attached to the larger-lot residential district on the south side of Commerce Street because at the time the building was being used as a single-family home. One-family detached dwellings are not a permitted use in the CMS district. All the adjoining parcels on the block north of Commerce Street are in the CMS district.

The property owner has renovated the building and is now interested in renting it out for a commercial use. Permitted uses in the CMS district include retail businesses, restaurants, service uses, professional offices, live-work units, and multi-family residential.

There are several issues related to this parcel if it was in the CMS district:

1. While there are multiple parcels along Main Street that are as small as 0.05 acres in size, most all of them meet the minimum CMS lot depth of 75 feet. This parcel is only 46 feet deep and would thereby be non-conforming in terms of lot depth.
2. There is only one parking space on the parcel. Any commercial use would likely need a parking waiver or variance, although the Planning Board often grants waivers for commercial uses on small existing lots in the CMS district under Section 223-41.18G(3) and (4). Finding parking along Commerce Street can be difficult, but the Municipal Building and County Center parking lots generally have available public parking spaces within 800 feet of this parcel. The planned Tompkins Firehouse public lot will offer a third nearby option.
3. The rezoning could potentially remove one housing unit when the rental market is particularly tight. However, the building could also support a ground floor commercial use and an apartment on the upper floor with the parking space for the residential tenant.

All these concerns seem minor or manageable. If the City Council decides this rezoning is worthy of consideration, the next steps would be to draft a Zoning Map change law and to set a public hearing on the proposal. The applicant will be present at the meeting to answer any questions.



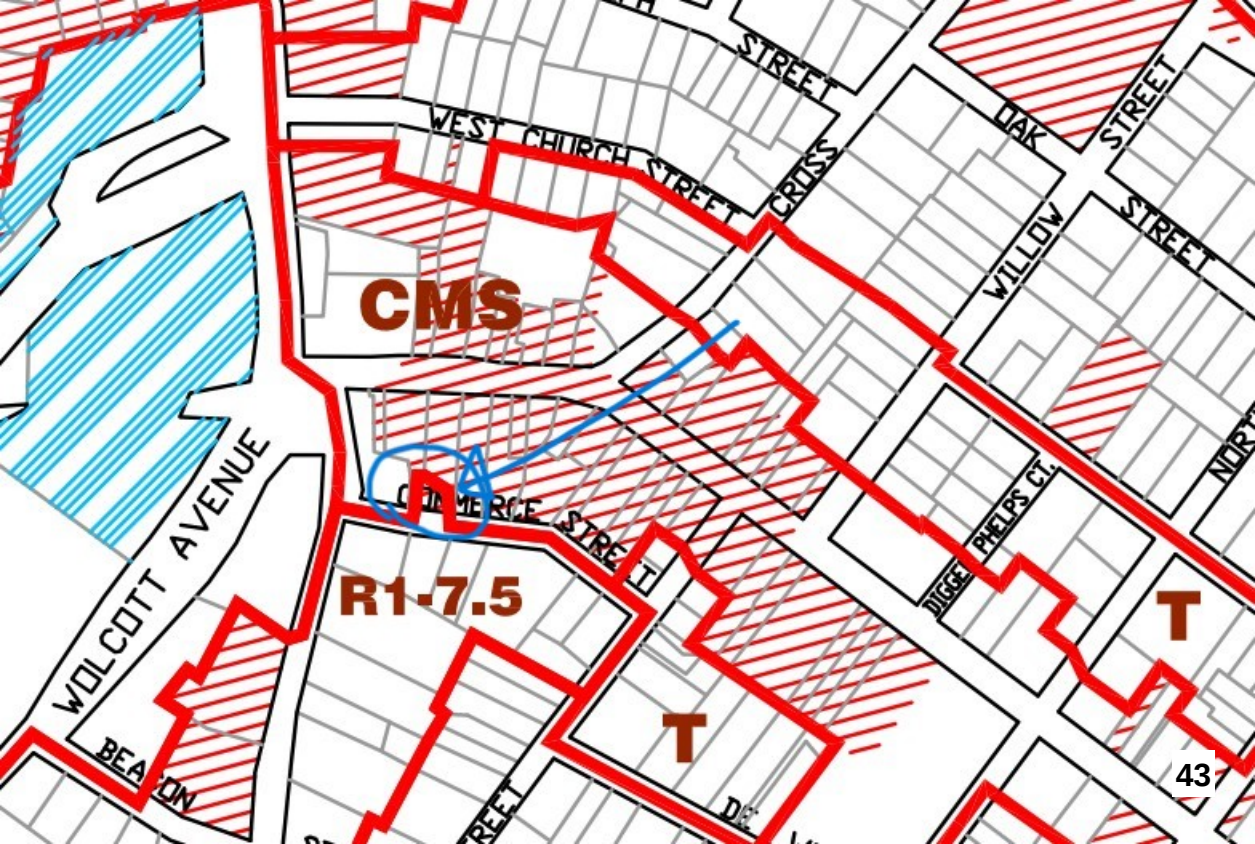
6 Commerce St - CMS Dutchess County, NY



Printed By:

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ParcelAccess
5/8/2023



CMS

R1-7.5

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PROPOSED LOCAL LAW NO. 4 OF 2023

**CITY COUNCIL
CITY OF BEACON**

**LOCAL LAW
AMENDING THE ZONING OF
A CERTAIN PROPERTY
FROM R1-7.5 TO CMS**

A LOCAL LAW to amend the zoning of a certain property from R1-7.5 to CMS

BE IT ENACTED by the City Council of the City of Beacon as follows:

Section 1. The zoning map established by Section 223-3 of Chapter 223 of the City of Beacon City Code is amended to change the Zoning District designation of the following parcel in the City of Beacon from the R1-7.5 Zoning District to the Central Main Street (“CMS”) Zoning District:

City of Beacon Tax Parcel No.: 130200-5954-27-757950, which is located at 6 Commerce Street.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein the Code of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability. The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 5. Effective Date

This local law shall take effect immediately filing with the Office of the Secretary of State.



John Gunn
Planning Board Chairman

CITY OF BEACON New York

Planning Board

July 25, 2023

Mayor Lee Kyriacou and
Beacon City Council Members
1 Municipal Plaza
Beacon, New York 12508

Subject: City Council Referral of Local Law to Rezone 6 Commerce Street from R1-7.5 to the CMS District

On referral from the City Council, the City of Beacon Planning Board reviewed the proposed Local Law to rezone 6 Commerce Street from R1-7.5 to the CMS District during the July 11, 2023 Planning Board meeting. The Board discussed the current zoning of 6 Commerce Street within the R1-7.5 zone. Board members explored whether there was any reason to retain the parcel's R1-7.5 designation rather than rezone it to the CMS District, with particular attention to possible reasons the City Council retained the parcel's single family zoning when it created the CMS District. At that time, the parcel was likely used as a single family home. City Planner John Clarke noted that the property owners requested the change in zoning because they are anticipating a commercial use. The Board members further discussed that it appears based on signage that a commercial use may have already commenced at the property and referred that issue to the Building Inspector.

After concluding its discussion of the proposed local law, upon a motion by Mr. Williams, seconded by Ms. Quiana, the Board unanimously voted to issue a positive recommendation that the City Council adopt the proposed Local Law.

Very truly yours,

John Gunn, Chairman

Dutchess County Department of Planning and Development		Fax Info Only	To	Date	#pgs
		Co./Dept.	From		
		Fax #	Phone #		

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Numbers(s): **7579500000**

Project Name: **6 Commerce Street Rezoning Proposal**

Applicant: **Hudson Todd LLC**

Address of Property: **6 Commerce St, Beacon, NY 12508**

**Exempt Actions:*
239 Review is NOT Required**

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☒ Rezoning involving all map changes
- ☐ Architectural Review
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☐ Area Variances for all non-residential uses
- ☐ Other (Describe):

Parcels within 500 feet of:

- ☒ State Road:
- ☐ County Road:
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Date Response Requested: **9/8/2023**

Entered By: **Swanson, Benjamin**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☒ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted:	Notes: Electronic submission		☐ Major Project
Date Received: 8/17/2023			Referral #: ZR23-248
Date Requested: 9/8/2023			
Date Required: 9/15/2023			
Date Transmitted: 8/18/2023	☐ Also mailed hard copy	Reviewer:	

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			☐	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			☐	☐
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
☐ Urban	☐ Rural (non-agriculture)	☐ Industrial	☐ Commercial	☐ Residential (suburban)
☐ Forest	☐ Agriculture	☐ Aquatic	Other(Specify):	
Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO ☐ ☐	YES ☐ ☐	N/A ☐ ☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☐	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO ☐ ☐ ☐	YES ☐ ☐ ☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO ☐	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO ☐	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO ☐	YES ☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO ☐ ☐	YES ☐ ☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO ☐ ☐	YES ☐ ☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest Agricultural/grasslands Early mid-successional Wetland ☐ Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☐	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☐	☐
	☐	☐
	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☐	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: <u>Christian A.L. Gates</u> Title: _____		

City of Beacon City Council Agenda
10/02/2023

Title:

Executive Session (Personnel)

ATTACHMENTS