



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

September 18, 2023
7:00 PM
City Council Agenda

Roll Call

Workshop Agenda Items

1. [Fishkill Avenue Rezoning](#)
2. [Zoning Code Corrections](#)
3. [Proposed Amendments to the 2023 Budget](#)

City of Beacon City Council Agenda
09/18/2023

Title:

Fishkill Avenue Rezoning

ATTACHMENTS

Draft Fishkill Avenue District Zoning Map

Draft Fishkill Avenue District Regulations

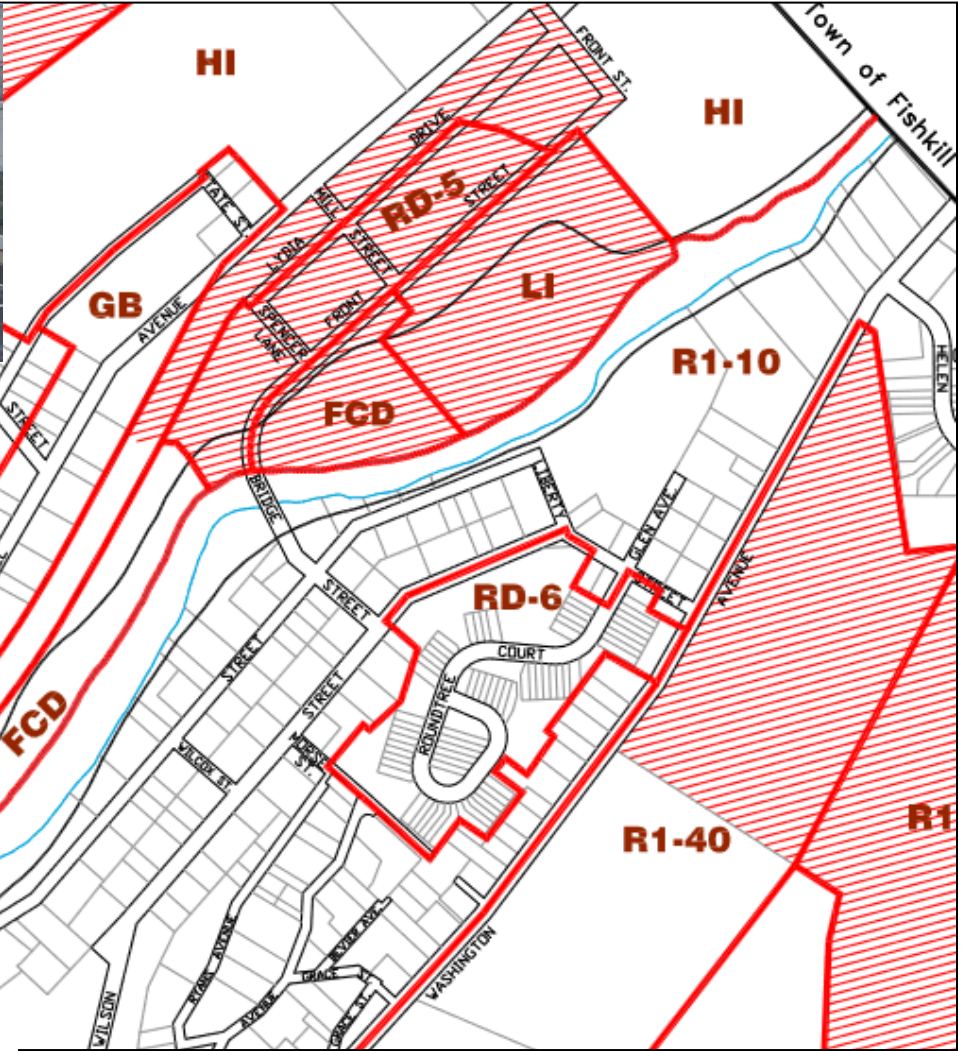
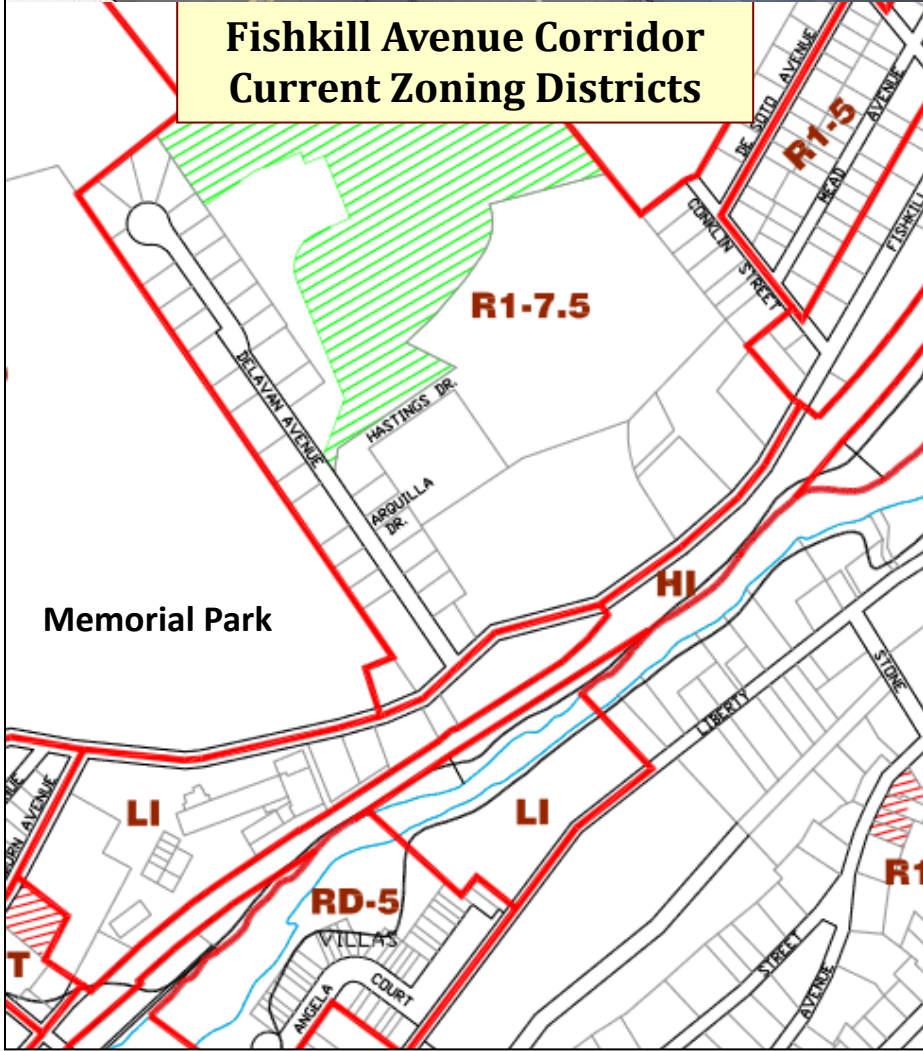
Draft Fishkill Avenue Zoning Dimensional Table

Draft Fishkill Avenue Zoning Use Table

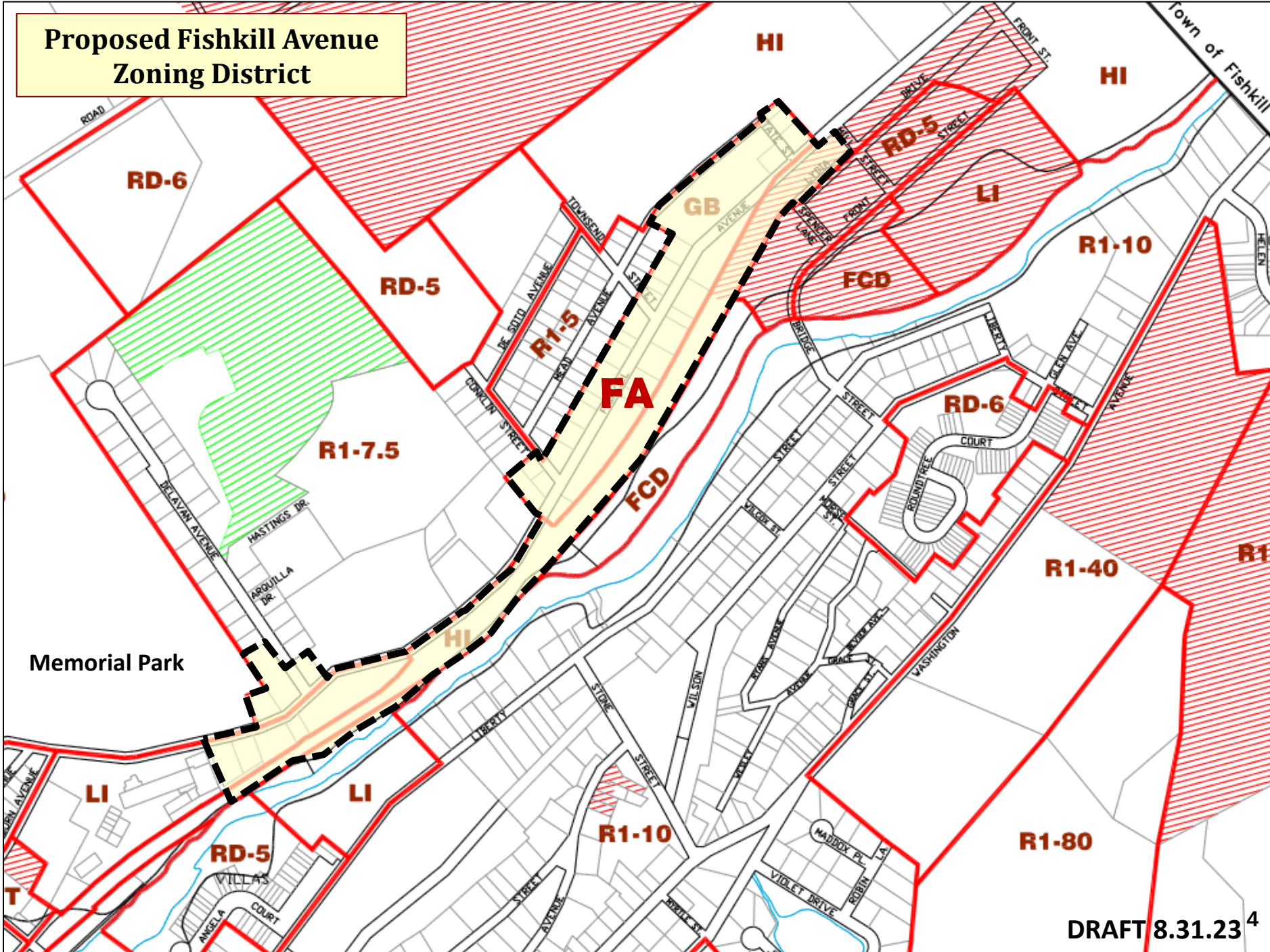
City Planner Fishkill Avenue Rezoning Slide Deck



**Fishkill Avenue Corridor
Current Zoning Districts**



Proposed Fishkill Avenue Zoning District



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

The purpose of this Article IVG is to increase the attractiveness, 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 providing more options for mixed-use buildings with residential development, enhanced landscaping and walkability, and traditional urban forms reinforced by design standards. The Fishkill Avenue District is also intended to integrate land uses with a future recreational rail-trail along the former railroad tracks and Fishkill Creek corridor, as recommended in the Comprehensive Plan Update adopted on April 3, 2017.

§ 223-41.24. Applicability and boundaries.

The provisions of this article apply to the area shown as the Fishkill Avenue District (FA) on the City of Beacon Zoning Map. In case of any conflict between this article and other provisions of this Zoning Chapter, this article shall control. 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.

§ 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 75 feet behind the facade in the rear portion of the ground floor.
- 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 that partially 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 additions 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 150 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.

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- 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 partially 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.
- 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.

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- 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 infeasible, 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.

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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.

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- 6) Building elements that provide additional architectural interest, such as bay windows, cornices, balconies, and porches, should be encouraged and may encroach up to six 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. **DRAFT**

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. **After soliciting comments from the Greenway Trail Committee, the Planning Board** may require the establishment of a view or access corridor from the public sidewalks through the development to the rail-trail right-of-way.
- 3) **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.**
- 4) Stormwater drainage shall limit off-site runoff, consistent with New York State and City of Beacon best management practices.
- 5) **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.**

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Section 223-17, Schedule of Dimensional Regulations (suggested edits in red)

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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 Open Space	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'	15'	20'	25'		- 35'				15%	FA	
GB		1,500		100'	15'	20'	25'		- 35'					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	

NOTES:

- 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.
- 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.
- But not more than 24 units in any building 3 1/2 stories or less in height.
- 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.

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

9.5.23

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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	x	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

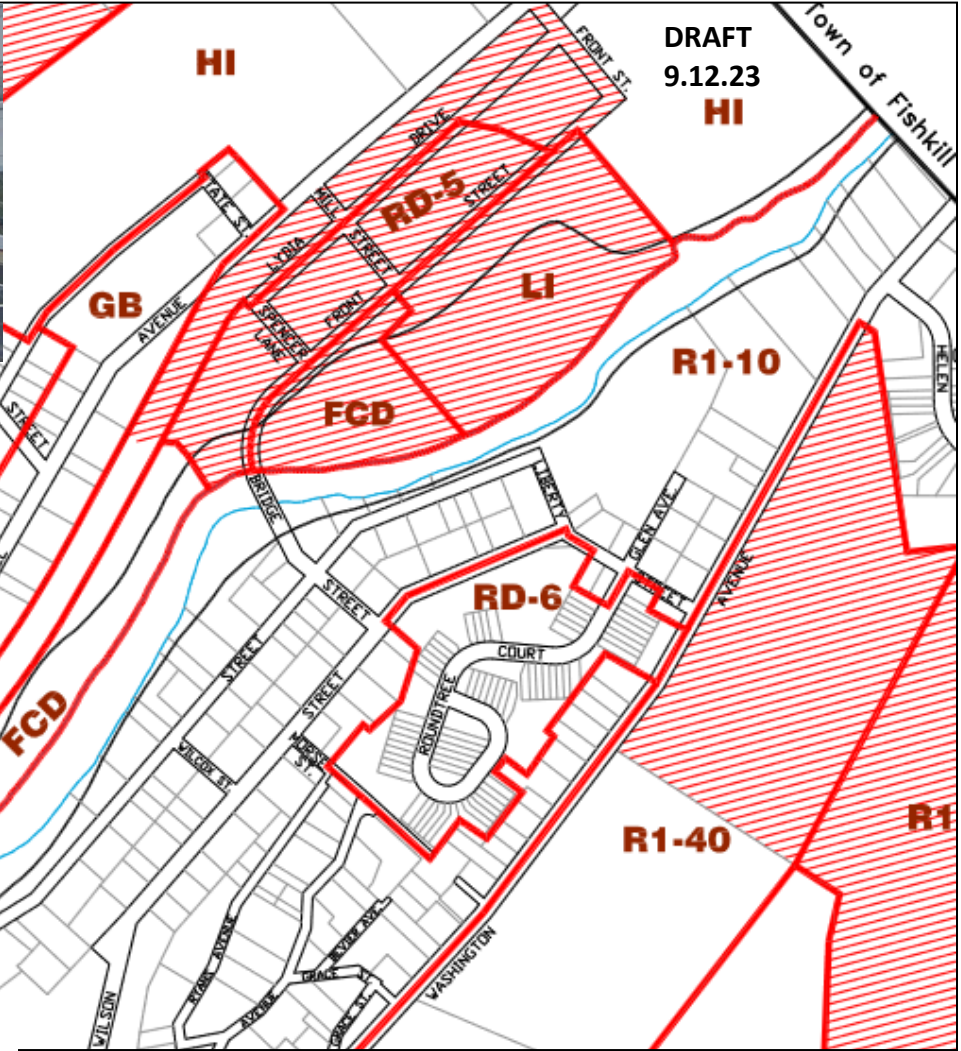
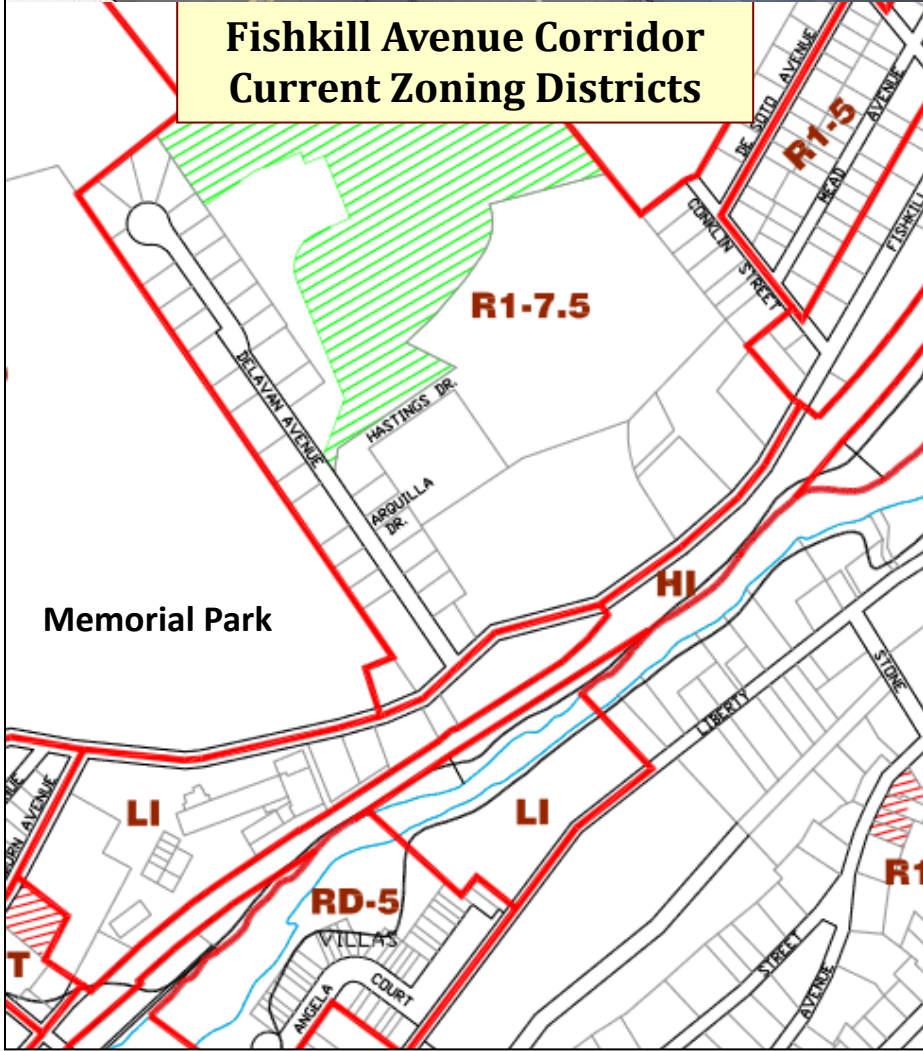
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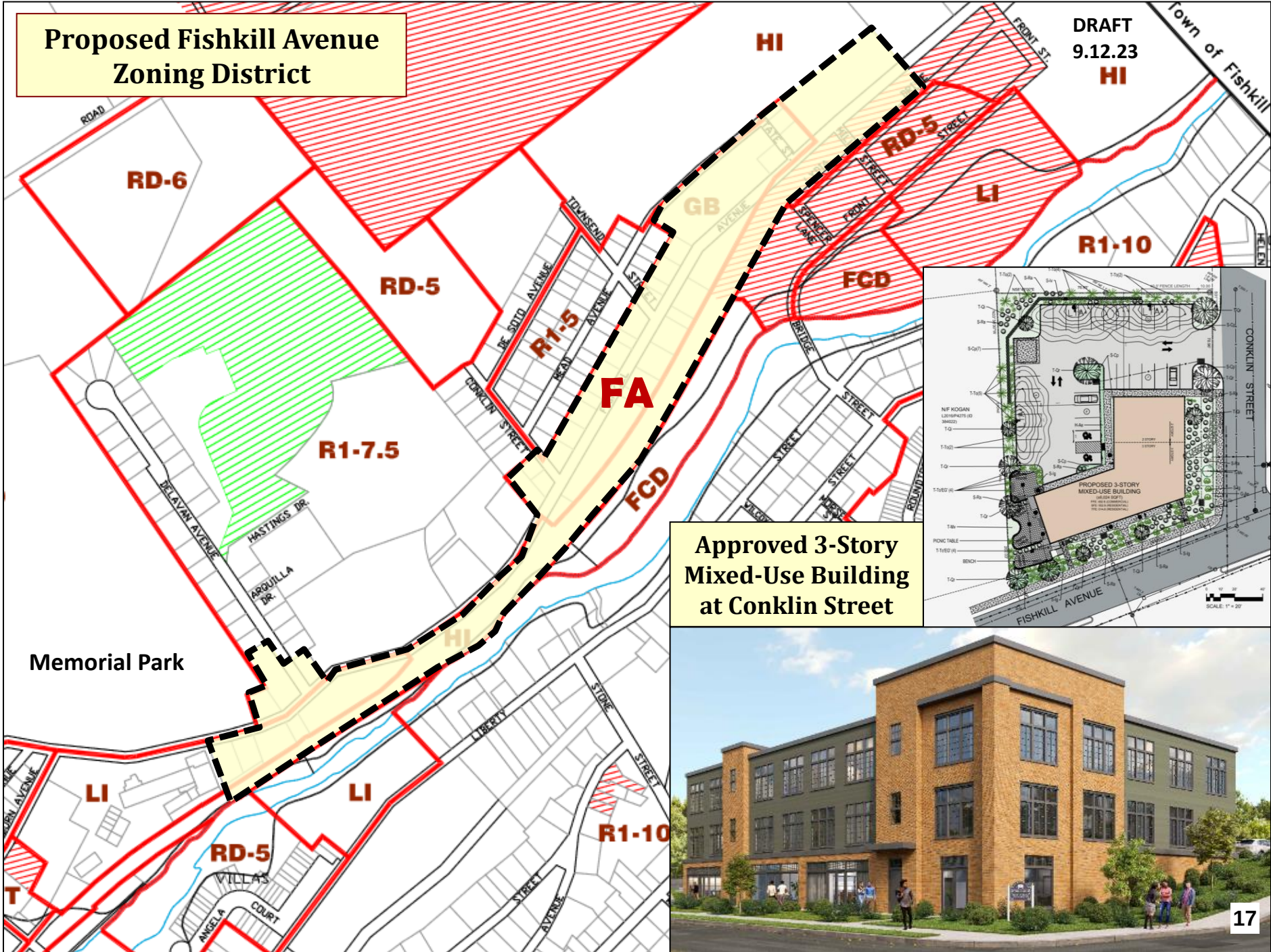


**Fishkill Avenue Corridor
Current Zoning Districts**

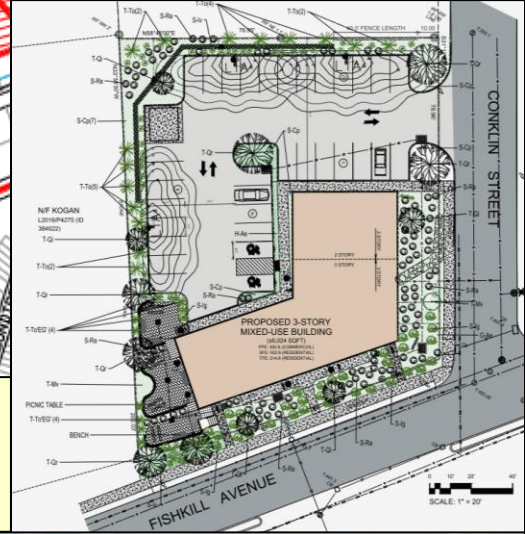


Proposed Fishkill Avenue Zoning District

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





Typical lot depths along Fishkill Avenue



Parcels in the residential district that are vacant or with current commercial uses

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

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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.

Article IVG. Fishkill Avenue District (FA)

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§ 223-41.23. Purpose.

The purpose of this Article IVG is to increase the attractiveness, marketability, and environmental sustainability of the part of the City of Beacon along Fishkill Avenue (Route 52) between Memorial Park and the Mill Street intersection by providing more options for mixed-use buildings with residential development, enhanced landscaping and walkability, and traditional urban forms reinforced by design standards. The Fishkill Avenue District is also intended to integrate land uses with a future recreational rail-trail along the former railroad tracks and Fishkill Creek corridor, as recommended in the Comprehensive Plan Update adopted on April 3, 2017.

§ 223-41.24. Applicability and boundaries.

The provisions of this article apply to the area shown as the Fishkill Avenue District (FA) on the City of Beacon Zoning Map. In case of any conflict between this article and other provisions of this Zoning Chapter, this article shall control. 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.

§ 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 75 feet behind the facade in the rear portion of the ground floor.
- 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 that partially 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 additions 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 150 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 partially 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.
- 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.

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- 5) For small preexisting lots where the provision of on-site parking is infeasible, 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.

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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 six 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.

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Ground-based mechanical equipment and rooftop equipment shall also be screened from public views.

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- 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. **After soliciting comments from the Greenway Trail Committee, the Planning Board** may require the establishment of a view or access corridor from the public sidewalks through the development to the rail-trail right-of-way.
- 3) **A minimum 5-foot-wide buffer with plantings and 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.**
- 4) Stormwater drainage shall limit off-site runoff, consistent with New York State and City of Beacon best management practices.
- 5) **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.**

City of Beacon City Council Agenda
09/18/2023

Title:

Zoning Code Corrections

ATTACHMENTS

[Draft Zoning Code Corrections](#)

Draft Zoning Corrections:

[See § 223-17 Use and Dimensional Table corrections in conjunction with the Fishkill Avenue District]

§ 223-3 Zoning Map

The Parking Overlay District does not seem to have any purpose or cross-reference in the Code and perhaps should be removed from the Zoning Map. Also, the Building Department's online link to the Zoning Map shows an outdated version of the Map. The website links at the Planning and Zoning Boards shows the latest 9.14.21 map version with Main Street HDLO additions.

§ 223-41.13 I(15)(b) The protective creekside buffer dimension in § 223-14 I(15)(a) of this chapter is a minimum and may be increased if necessary to mitigate the impact of proposed development.

§ 223-41.18 E [CMS] Dimensional regulations

(4) Rear setbacks: minimum ~~25~~ 20 feet for parcels 100 feet deep or more... **[to be consistent with adopted Schedule of Dimensional Regulations]**

§ 223-41.18 E Dimensional regulations

(6) Building height: minimum two stories, maximum three stories and 38 feet, as determined from the average street front level. One-story accessory buildings to the rear of the principal building are permitted and one-story secondary additions set back at least 50 feet from the principal building façade are permitted. Stories built below the grade...

§ 223-41.18 E Dimensional regulations

(7)(b) All such building height special permits in the CMS District shall require a finding that there are no substantial detrimental effects on shadows, parking, traffic, or specific views adopted as important by the City Council or in the Comprehensive Plan Update, that the new building will be compatible with the historic character of adjacent buildings, and that conditions and standards in § 223-18B(1)(a) through ~~(d)~~ (f) have been met.

§ 223-41.18 G Parking location and quantity **[I believe the next three changes were in the adopted 2020 Local Law, but not included in eCode version]**

(3)(b) That adequate shared parking, contractually obligated for the duration of the proposed use, is available within 500 feet of the site and within the CMS or ~~PB I~~ District.

(3)(d) That there is sufficient public parking available within 800 feet of the site and within the CMS or ~~PB I~~ District to meet foreseeable parking needs of the proposed use and surrounding uses for the duration of the proposed use.

(3)(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 within the CMS or ~~PB I~~ District and voluntarily dedicate such land to the City for public parking.

§ 223-41.18 J Design Standards

(16) **[In the eCode version, only the first page of the 3-page set of Design Illustrations is shown in Figure 18-7; See 3-page set in L District's Figures 21-18, 19, and 20]**

City of Beacon City Council Agenda
09/18/2023

Title:

Proposed Amendments to the 2023 Budget

ATTACHMENTS

[Proposed Amendments to the 2023 Budget](#)

City of Beacon
Council Budget Amendments
September 25, 2023 Meeting

1. Amend the 2023 Sewer Fund Budget to cover the costs of additional overtime. Overages are due to additional weather events and replacement of retirement and staff transfers. Amounts are estimated to cover costs through the end of the year. Below is the proposed budget amendment:

TRANSFER TO:

G -08-8130-105000- OVERTIME	<u>\$ 35,000</u>
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TRANSFER FROM:

G -01-1990-400001- CONTINGENCY FUND	<u>\$ 35,000</u>
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2. Amend the 2023 General Fund Highway Budget for the unforeseen repairs to the leaf vacuum truck and back hoe. Below is the proposed budget amendment:

TRANSFER TO:

A -05-5110-447200- REPAIR OF EQUIPMENT	<u>\$ 20,000</u>
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TRANSFER FROM:

A -01-1990-400001- CONTINGENCY FUND	<u>\$ 20,000</u>
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3. Amend the 2023 General Fund Sanitation Budget for the additional and rising costs of Recycling. Amounts are estimated to cover costs through the end of the year. Below is the proposed budget amendment:

TRANSFER TO:

A -08-8160-449301- RECYCLE CHARGES - REPUBLIC	<u>\$ 61,000</u>
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TRANSFER FROM:

A -01-1990-400001- CONTINGENCY FUND	<u>\$ 61,000</u>
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City of Beacon
Council Budget Amendments
September 25, 2023 Meeting

4. Amend the 2023 General Fund Recreation Budget for the Child Care Workers Bonus which is a retention pass thru bonus from New York State. Below is the proposed budget amendment:

INCREASE EXPENSE:

A -07-7140-103702-	CHILD CARE WORKERS BONUS	\$ 10,350
A -07-7140-820000-	SOCIAL SECURITY	<u>792</u>
	TOTAL	<u>\$ 11,142</u>

INCREASE REVENUE:

A -07-7140-388900-	STATE AID OTHER CULTURE & REC	<u>\$ 11,142</u>
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Respectfully submitted,
Susan K. Tucker CPA