



COUNTY OF DUTCHESS
DEPARTMENT OF PLANNING AND DEVELOPMENT

April 16, 2018

To: City Council, City of Beacon
Re: Referral #18-081, LL Regulating Net Development Area in R1, RD, and FCD Districts

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

ACTION

The City is proposing a net development area calculation that would exclude certain constrained lands from the calculation of allowable density on parcels of land 3 acres or more in the R1, RD and FCD districts.

COMMENTS

The City has established residential densities in each zoning district in accordance with the Comprehensive Plan. As we have previously stated, as long as a proposed development meets the zoning criteria for a project, including staying off steep slopes and out of wetland buffers or floodways, and is adhering to setbacks, height standards and parking requirements, we do not see reasons to further limit density with this calculation. If municipal water and sewer is provided, the impact of development on raw land is even further reduced.

After viewing the Council's public workshop of April 9th, it appears that the allowable density of the proposed development, "Edgewater" would be reduced by a significant 71 units. This development is within walking distance of the Beacon Train Station. We believe the City appropriately enacted higher density zoning in this area which, if built, will provide economic benefits of pedestrian traffic to Main Street, while reducing vehicular impacts on the street system.

The City Council and many residents have called for the need for affordable housing, public transit, and an active Main Street for Beacon's residents through the Comprehensive Plan. In order to achieve these important goals, density is necessary. The law proposes an allowable density of 11 dwelling units per acre after environmental constraints have been removed, however, this number is on the low side for an urban area, especially a City. In fact, other, more suburban areas of Dutchess County allow greater density (14 dwelling units per acre) and are located in the County's more suburban areas.

RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP
Commissioner

By

A handwritten signature in black ink, appearing to read "Jennifer F. Cocozza", followed by a horizontal line.

Jennifer F. Cocozza
Deputy Commissioner

Dutchess County Department of Planning and Development	To	Date <u>4/16</u>	# pgs <u>2</u>
	Dept	From	
	Fax #	Phone #	

239 Planning/Zoning Referral - Exemption Communities

Municipality: City of Beacon

Referring Agency: ☐ Planning Board ☐ Zoning Board of Appeals ☒ Municipal Board

Tax Parcel Number(s):

Project Name: L/L Regulating Net Development Area in R1, RD, & PCD Districts

Applicant: City of Beacon

Address of Property:

Parcel(s) within 500 feet of:

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

Actions Requiring 239 Review

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

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
- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Date Response Requested (if less than 30 days): Before April 15

If subject of a previous referral, please note County referral number(s):

* 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
- ☐ Project Withdrawn
- ☐ Exempt from 239 Review

Comments Attached:

- ☒ Local Concern with Comments
- ☐ Conditional
- ☐ Denial
- ☐ Incomplete — municipality must resubmit to County
- ☐ Incomplete with Comments — municipality must resubmit to County
- ☐ Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: 3/20/18

Date Received: 3/20/18

Date Requested: 4/14/18

Date Required: 4/10/18 5/10

Date Response Faxed: 4/16/18

Notes: Revised law received 4/11
☐ Major Project

Referral #: ZR18-081
☐ Also mailed hard copy

Reviewer: Suzanne Housley

Print Form

Reset Form